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## Senate

The Senate met at 10:30 a.m. and was called to order by the Honorable JACKY ROSEN, a Senator from the State of Nevada.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Precious Lord, You have been our dwelling place in all generations, sustaining us with Your goodness and mercy. Today, surround our Senators with the protection of Your divine favor, enabling them to obey Your command to be productive.

Lord, continue to strengthen them to follow Your precepts, fulfilling Your purposes as they find joy in Your presence. Keep them from the things that bring regret. Increase their faith, providing them with courage to live for Your glory.

We pray in Your strong Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 29, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JACKY ROSEN, a Senator from the State of Nevada, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Ms. ROSEN thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### INFRASTRUCTURE

Mr. SCHUMER. Madam President, well, as we all know, last night, the Senate voted by a substantial margin to move forward with a debate on a bipartisan infrastructure bill. I want to commend the group of Senators who worked with President Biden to reach a deal. The agreement will ultimately dedicate over a trillion dollars to strengthening virtually every major category of our country's fiscal infrastructure.

The vote last night also means that the Senate is on track to reach the two-track goal I laid out for this Chamber at the beginning of the month. The first track is the bipartisan bill focused on traditional, brick-and-mortar infrastructure projects. The second track is a budget reconciliation bill where Democrats will make historic investments in American jobs, American families, and efforts to fight climate change.

In order to start work on a reconciliation bill, the Senate must pass a budget resolution first, and we are on track for that as well.

It has been my goal to pass both the bipartisan infrastructure bill and a budget resolution during this work period. Some pundits have called that a tall order. I understand that. But because of the vote last night, the Senate

is now moving forward with the bipartisan infrastructure bill, and we are on track to pass both elements of the two-track strategy before we adjourn for the August recess. It took some prodding and a few deadlines, but it all has worked out for the better.

I want to take a step back and explain why these two bills are so important at this moment. For the past 2 years at the end of the Trump Presidency, the country was angry, divided, plagued by COVID, and our economy was stuck in the muck. The COVID washed over our country like a plague and was met by staggering incompetence from the Trump administration. America was sick, dying, and our economy was in shambles.

The discovery of the vaccine played no small part in our country's recovery. We Democrats pushed early on, last February and March—not this past one but a year ago—to increase funding for BARDA. Even then, the Trump administration was sort of being stingy about that money, but we got the money done. And the vaccine, as I said, played no small part in our country's recovery.

But elections have consequences. I say that to the American people. Elections have consequences. When we ran as Senate Democrats, when President Biden ran, we promised we would get the vaccines out; we would get the country's economy moving again; we would give hope to the middle class and those struggling to get to the middle class, where hope had been a distant and hazy frame on their horizon previously.

The Biden administration came in. We came in as a Senate majority. We immediately set to work beating the pandemic, with a relentless focus on getting the country vaccinated and getting our country back to normal.

Congressional Democrats swiftly passed the bold, strong American Rescue Plan, one of the largest Federal packages in American history, to keep

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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families, businesses, and workers afloat until the country could reopen. And we have done that. Six months into the Biden administration and Democratic majorities in the House and Senate, the country has stabilized.

This morning—this morning—it was reported that in the second quarter, the U.S. economy grew at a rate of 6.5 percent, erasing all of the losses from the COVID pandemic. It happened a lot quicker and a lot sooner than many anticipated.

Let me repeat that because it is great news. Under President Biden and Democratic House and Senate majorities, the economy recovered so fast this year that we have already erased the losses in growth that we experienced as a result of the COVID pandemic. That is very good news.

It certainly doesn't mean every family is back on their feet yet. It certainly doesn't mean our work is complete. But the American economy is back. It is thriving and set for even brighter days ahead.

Again, elections have consequences. There is such a difference between the bumbling, nasty, divisive last 2 years of the Trump administration and a new Democratic majority in the House and the Senate and a Democratic President.

Vaccines are out there, as we promised to get them. There are still some people resisting taking a vaccine. They should. We have had some resistance even from ideological rightwingers, which is just awful. Vaccines are out there.

Money has been pumped into the economy through the ARP, and things are moving forward, but now is not the time to rest on our laurels. Now is the time to press forward to cement these gains and build on them. We must continue encouraging vaccinations. We must keep a very close eye on the Delta variant and take necessary precautions. But we also must address the underlying structural economic conditions that held back the middle class and those trying to get there even before the pandemic.

The American dream—that if you work hard, you will be doing better 10 years from now than you are doing today and your kids will be doing still better than you—was fading for the last 20 years. If you look at the economic statistics, they show that that dimmer view the American people had was accurate in terms of economic circumstances.

But now we need to get bright and sunny again. We need to return to the bright, sunny American optimism that has been so much a part of our character for more than two centuries. And how do we do it? We don't just sit on our hands. We don't just say: Let businesses take care of it. They won't. They have a different mission.

A massive investment in public infrastructure will create tens of thousands of good-paying jobs. That is just what the doctor ordered. And we need to go

beyond that to restore that bright, sunny optimism. We need to help American families keep up with the exorbitant costs of childcare, healthcare, housing, college, and more. We need to press on and fight to reverse climate change because, as bad as COVID was, if we do nothing about climate change, a few years from now, each year will be worse than COVID, and each year after that will get worse and worse and worse. If we do nothing, people several years from now—even people now will say: Why didn't we do more? We Democrats want to do more on climate. We must.

The numbers show that the American economy has gotten back to where it was prior to COVID. Now is the time to go further and build back even better than before. We Democrats, when we can in a bipartisan way but on our own when our Republican colleagues are adamantly against us, we will move forward on both tracks—both tracks.

I am proud of my Democratic caucus, every one of them voting yesterday for this bill and all pledging to go forward on the second track as well.

#### CAPITOL SECURITY

Mr. SCHUMER. Madam President, on another matter, even during normal times, protecting the U.S. Capitol is a difficult job. Millions of people visit the U.S. Capitol every single year. Five hundred and thirty-five elected officials and their staffs work here every single day. To keep the Capitol Complex safe, to keep it secure, we are lucky to have the best of the best.

Our Capitol Police, who stared down a violent mob on January 6, have been nothing short of heroic—heroic. When the smoke cleared after the attack of January 6, they came back to the Capitol and helped piece together what the rioters had torn apart. In the aftermath of that dark day, the National Guard helped keep watch day and night, 24-7.

I walked the halls of this building early in the morning and saw our National Guard men and women, from New York and so many other States, camped out, helping us, wanting to make sure the Capitol was secure. We owe the Capitol Police and we owe the National Guard our deepest gratitude, but we owe them more than just that. We owe them the resources they need to do a very difficult job and to do it well.

Unfortunately, Congress is on the precipice of failing. Due to unforeseen expenses during the pandemic and the toll incurred by the attack on January 6, funding for our Capitol Police, security at the Capitol Complex, even our National Guard, has come close to running very dry.

Already, the Capitol Police has had to delay vital trainings and the purchase of new safety equipment. Soon, salaries, bonuses, and new hiring will be on the chopping block. According to MG Tom Carden, who sent 1,200 mem-

bers of the Georgia National Guard to the Capitol after January 6, his unit is facing “draconian” cuts if Congress doesn't replenish funding before this weekend. We must not—we must not—let that happen under our watch.

The chairman of the Appropriations Committee, Senator LEAHY, has been working diligently to come up with a bipartisan agreement. Now, Senator SHELBY has joined with him, and they have crafted a \$2.1 billion supplemental appropriations bill to fill the shortfalls of our Capitol Police, our National Guard, and a number of other vital defense operations. It is not everything that we wanted. The House's bill is bigger and broader. But it does fill the need, and we need to fill it quickly.

I want to thank Senator LEAHY particularly for his relentlessness in pursuing this.

I want to thank Senator SHELBY for realizing how important this was in prodding Members on his side of the aisle to move forward.

I also want to thank Senators KLOBUCHAR and BLUNT, chairmen of the authorization committee, the Rules Committee, that deals with these issues. Senator KLOBUCHAR in particular, whose hearings and continued focus on Capitol security helped pave the way for the agreement, deserves our kudos.

Now is the time for the Senate to take up and pass this bill on behalf of the brave police officers and servicemembers who defended this very citadel of democracy.

All 50 Senate Democrats fully support this crucial police and security funding. All 50 Democrats are ready to go. We are eager, insistent we meet our deadline.

Again, Democrats are prepared to vote on this bill as soon as possible. With the cooperation of our Republican colleagues, which we hope we will get—our needs are dire—we could pass this bill today.

The last 6 months have pushed those who protect the U.S. Capitol to the limits. In the face of unprecedented adversity, they responded heroically. We must support them now as they so courageously supported us.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. BALDWIN). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

#### INFRASTRUCTURE

Mr. MCCONNELL. Madam President, yesterday, I joined a number of my Republican and Democratic colleagues

and voted to begin floor consideration of bipartisan compromise legislation for our Nation's infrastructure.

Our country would benefit a whole lot from some targeted investment in the kinds of real, tangible projects that fit a commonsense definition of actual infrastructure—roads, bridges, ports, waterways, airports, broadband.

A bipartisan compromise to responsibly finance these kinds of investments is guaranteed to be big and complex. It is guaranteed to be the kind of legislation that no Member on either side of the aisle will think is perfect. But it is an important basic duty of government.

I am glad to see these discussions making progress. I was happy to vote to begin moving the Senate toward what ought to be a robust, bipartisan floor process for legislation of this magnitude.

This kind of focused compromise that our colleagues have been hashing out could not contrast more sharply with the multitrillion-dollar reckless taxing-and-spending spree the Democrats hope to ram through on a party-line vote later this year.

As I have said before, the Democrats' spree is reckless on multiple levels. We are all familiar with the staggering \$3.5 trillion bottom line. We all know it would only amp up the painful inflation that is already hammering middle-class families, in large part because of the last partisan deluge of spending Democrats rammed through just a few months ago.

But just as alarming is the parade of leftwing ideas that comprise this mess: turning temporary pandemic welfare payments with no work requirements into a permanent dole, shoving through big chunks of the Green New Deal, government price-fixing that would leave us with fewer new medicines and new cures.

And then there is an effort to further inflame the Biden administration's border crisis with a far-left amnesty. We have now seen the highest unaccompanied child arrivals on record, the biggest month for immigrant encounters in 21 years. This month, total CBP apprehensions for the calendar year are expected to top a million—a million—for the first time in 15 years, and we still have 5 months to go.

So one might think my friends across the aisle would try to avoid repeating the missteps that created the crisis; that they would be careful to avoid doubling down on the perverse incentives generating so much suffering down at the southern border.

But, apparently, Washington Democrats intend to do the opposite. Their reckless taxing-and-spending spree would include an even bigger green light for this crisis at the worst possible time. Under the Biden administration's unenforceable catch-and-release policy, just 13 percent of the 50,000 individuals who have been released into the United States since March have actually reported to as-

signed ICE checkups. So in a sense, either intentionally or through incompetence, the administration is already practicing a policy that amounts to functional amnesty in many cases. What Democrats want now is to make that explicit and, believe it or not, permanent.

They would effectively like our southern border to be even more open than it is now, even during an ongoing public health emergency that has Federal, State, and local officials contemplating new batches of rules for American citizens. The message to Americans appears to be: Put your guard back up, even if you are vaccinated.

But to a jaw-dropping degree, the message to people arriving at the southern border seems to be: Come on in. Even if you are COVID positive, come on in.

CBP data are reportedly showing a huge uptick in positive COVID tests in the Rio Grande Valley sector. That is just one sector, and that is just among whatever fraction of the individuals are actually being tested. And among individuals in ICE custody, apparently one in three—one in three—are declining to receive a vaccine. Yet it seems the Biden administration doesn't consider a COVID diagnosis any reason to make an exception to its catch-and-release policy. Alarming reports of COVID-positive detainees being turned out into Texas communities even have border-State Democrats sounding the alarm.

I hope President Biden is listening. Maybe Members of his own party will have better luck conveying what the American people have known for months: The situation at our southern border is a crisis. It deserves real attention and real solutions, not a reckless taxing-and-spending spree with amnesty policies that would make things considerably worse.

#### REMEMBERING BOB DOVE

Mr. McCONNELL. Madam President, on a completely different matter, for the second time this week the U.S. Senate family must bid a sad farewell to a member of its alumni society.

Only six different individuals have served as Senate Parliamentarian since the position was formally established back in 1935. It is a unique and remarkable position that seems to require unique and remarkable people.

Bob Dove served two stints as Parliamentarian from the early 1980s to the early 2000s. He passed away yesterday at the age of 82 after a long illness.

I was just a rank-and-file Senator during Bob's stints on the dais, but everyone in the entire Senate knew all about Bob's brilliance and his incredible spirit. Bob Dove knew this body's history and its rules to the tenth decimal place.

He was also a constantly jovial person, as approachable as he was smart. His love for the Senate was tangible. It was palpable, and it was not only a

love for the institution, itself, as an abstraction, it was also a love for the human beings who comprised it.

I understand that back in the day, Bob had a go-to one-liner to help himself and his fellow professionals here on the floor through the tougher days. Here is what he said: "You may love the Senate," he would dryly declare, "but the Senate may not love you back."

But a little gruff sarcasm couldn't conceal Bob's true affection. In fact, his enthusiasm for this place was so contagious that it swept up multiple generations of his family. About a year and a half ago, we said goodbye to Bob's daughter, Laura Dove, herself a long-serving, well-loved and widely respected Senate staff leader as she left the post of Secretary for the Majority.

Even now, two of Bob's grandchildren are spending their summers right here in the Senate, helping out in different positions.

Either Bob Dove's brood just cannot quit this multigenerational addiction to public service or perhaps it is the Senate that cannot quit them.

So our condolences and our prayers go out to Bob's wife Linda, to Laura and her brother and sister, and to Bob's grandchildren and extended family.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### LEGISLATIVE SESSION

INVESTING IN A NEW VISION FOR THE ENVIRONMENT AND SURFACE TRANSPORTATION IN AMERICA ACT—Motion to Proceed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 3684, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk with will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Madam President, late last night, there was a vote on the floor which was historic. I will address the subject matter in a moment. But 17 Republicans joined the Democrats in an amazing commitment to building America's infrastructure. I will speak to the specifics of that in a moment.

But I wanted to recount another event this morning which was not as widely published but could be very important to many American families.

#### PRESCRIPTION DRUG COSTS

Madam President, if you ask families across the United States to list the top three things they are worried about in terms of pocketbook issues and things that Congress can address, I will bet you that they will end up putting the costs of prescription drugs on that list every time. They know what happened. These prescription drug costs have gone through the roof. For many people, it is a real hardship.

I was looking this morning at some of the information we have about insulin, and, you know, for millions of Americans that is literally a life-and-death drug. Insulin was discovered decades ago. The gentleman and those who did the research to find it basically gave away all of their patent rights—the rights to make any money off of insulin—for \$1. They said you can't take a life-and-death drug and put a pricetag on it. It has to be shared by people.

Jonas Salk did exactly the same thing when it came to the polio vaccine in the 1950s. He found this breakthrough vaccine—and I was one of the early schoolkids to sign up for it—and said: I don't want to make a penny off of this. This means too much to America and the world.

Bless both of those individuals for that kind of selflessness.

Yet when it comes to drugs like insulin today, and Sanofi, one of the largest producers of insulin, in the year 2000, was charging \$35 for a dose of insulin. It has now had the price rise 25 times since then. The price of an insulin vial is \$350, creating a real hardship and a real strain for many families who are dependent on insulin to keep themselves or their children alive.

So, this morning, we had a meeting in the Senate Judiciary Committee. We considered four pieces of legislation on a bipartisan basis—let me underline that: bipartisan basis—and passed all four measures unanimously with voice votes. I could tell you, having served on that committee for over 20 years, it is a rare day that everything goes through with bipartisan support on an issue of consequence. Today was one of those days.

One of the bills, the Stop Significant and Time-wasting Abuse Limiting Legitimate Innovation of New Generics Act—the Stop STALLING Act—by Senators KLOBUCHAR and GRASSLEY, was advanced by a voice vote.

What we are finding is that the pharmaceutical industry is designing new ways on a regular basis to delay the surrender of their patents. As long as they have patents—and most of those are for 20 years—they have the exclusive right to sell that drug, and no one can compete with them. At the end of 20 years, the theory goes that the generic drug companies step in, make the same drug for a much lower cost, and the consumer finally gets a break.

Well, you can imagine the lawyers and businessmen in many pharmaceutical companies who are trying to delay that moment of when the generics step in for as long as possible. This bill that we passed this morning, which will be coming to the Senate floor, addresses that.

We want to have access to generics and biosimilar treatments. We want to make sure that the loopholes and tricks that the pharmaceutical industry is using now to delay the generic drugs coming onto market come to an end. This was an amazing array of drugs that, I think, will have a direct impact on America and its future.

H.R. 3684

Speaking of impact, Madam President, what happened last night was historic.

As I mentioned, 17 Republicans joined the Democrats in passing a bipartisan infrastructure bill. It is rare that we come together on something that significant, with that much bipartisanship. We are now in the midst of the debate on that bill, on the cloture vote, and our time is running. I hope, soon, that we can get to the merits of the bill and get it enacted as quickly as possible.

This is a once-in-a-generation opportunity to rebuild our Nation's roads, railways, and bridges; to make high-speed internet and clean water realities for every home in America; and to create millions of good-paying, family-supporting, and, in many cases, union jobs across the country.

President Biden said he wanted to build back better when it came to America. He sure showed it last night. We never could have reached that point without his leadership. The White House has been a partner in this bipartisan effort from the start, and 67 Members of the Senate coalesced around this approach. This economy needs to work fairly for everyone and protect our kids and grandkids from climate catastrophe, and a major part of this bill addresses it.

This is a moment the American people have been waiting for. It couldn't have come sooner. Right now, many of our roads and bridges are in terrible disrepair, and our infrastructure is crumbling before our eyes. Every week brings word of a new climate-related crisis: devastating drought and wildfires in the West; melting power lines in Oregon; rolling blackouts in Texas; and, 2 weeks ago, there was a bridge collapsing in my State of Illinois.

Take a look at this picture. Let me describe what you are seeing here.

This was a scene in a small, rural town in Illinois, in Seneca, when a bridge on the River Road gave way to extreme flooding. As you can see down here, the pavement comes to an end, and you can see all the way through. When that bridge came apart, typically and in good fashion, a group of Illinoisans stepped up as Good Samaritans and pulled the driver out of this vehicle

that was straddling this breaking highway. A local police officer said the driver was "really lucky that he didn't end up in the creek under the bridge."

I am grateful that nobody was harmed that evening. I thank the first responders, as well, for coming to the rescue. But now, 2 weeks later, that bridge is still broken, and the taxpayers in my home State are stuck paying the tab. Repairs are going to cost over a million bucks.

This is just one example of the failure to invest in our Nation's roads and bridges that is costing us. Every 4 years, the American Society of Civil Engineers gives a report card on our roads and bridges and their safety. For decades, it has been filled with the kind of grades that you wouldn't want your kids to bring home from school. The overall grade this year was a C minus, in the United States of America, for the wealthiest nation and the largest economy on Earth. Imagine.

If we continue to neglect the arteries of our economy, the situation will get worse. The American Society of Civil Engineers estimates that the continued underinvestment in our Nation's infrastructure could cost \$10 trillion of loss in GDP over the next two decades, a major drain on city and State budgets, but, more importantly, a threat to families and their safety when they travel.

This truckdriver had no idea that he would take his truck out on this road and, at the end of the day, be lucky to still be alive. Our Nation has one of the highest road fatality rates in the world. And nearly 1 in 12 bridges in America is considered structurally deficient. This is one of them. That means that they are at the risk of being compromised by extreme weather, which is becoming more and more common with climate change. Any of us could become that man on the bridge in Seneca, IL, who was saved by his neighbors.

The infrastructure proposal we are considering at this very moment would eliminate this threat across America, rehabilitate our roads and bridges, keep our economy growing, and make our families safe. With this historic infrastructure proposal, we are removing the hazards from our communities and establishing a better foundation for our economy. Let's take a glance at some of the achievements under this bipartisan proposal.

It is the largest ever investment in public transit in America's history. I called the mayor of the city of Chicago yesterday, and I said: I think I have some good news for you. We are going to be able to build that transit system out, make it more accessible for those with disabilities, have safer stations, and expand the reach of transit in the city of Chicago.

I called downstate, to the Springfield Mass Transit District, to tell them the good news as well: more buses that are fuel-efficient, electric buses, and buses that really acknowledge that we need a response to the climate situation.

A historic expansion in electric vehicle infrastructure is part of this bill. Electric vehicles are the future. Don't believe me when I say it, and don't wait for some government spokesman to say it. Just turn on your TV and watch the advertisements.

The Ford F-150 Lightning—this electric truck—is so popular in America and has an electrifying ad. To say that it is available now is an overstatement. But it will be soon. They put on the ad, if you look at the very end of it: If you want to reserve one of these trucks, here is the website you should contact.

That is happening more and more—an electrified Mustang, for example.

All of these suggest that the private sector is racing ahead of those of us in government, realizing that electric vehicles are the future. This plan will help automakers win the race worldwide, and it will be the most important auto race in our history to make sure that electric vehicles have the American imprint on them.

This bipartisan plan is a move for the future. For families in Illinois, the funding means parents won't have to worry about a bridge collapse while taking their kids to school, and it means they can trust the water coming out of the faucet to be clean and safe. For parents in the city of Chicago, with more lead service lines than any city in the United States, it could be a lifesaver.

These are the investments we need if we want America to win the 21st century. By making them today, with interest rates now at a historic low, we can reap the benefit for decades to come, and that is not just my assessment. Last week, Moody's chief economist said that President Biden's plan to build back better "will lift the economy's longer term growth potential and ease inflation pressures"—two things that all of us endorse.

Let me say that again for my fellow Senators. Many on the other side of the aisle who can't wait to give a looming inflation speech. This package, according to Moody's chief economist, "will lift the economy's longer term growth potential and ease inflation pressures."

Earlier this morning, the Bureau of Economic Analysis reported for the first time our Nation's economic output has surpassed the pre-pandemic high.

We are back in the saddle. Thanks to the American Rescue Plan, people feel safe and more financially secure. They are heading back out into the world, shopping and dining at restaurants and traveling.

Let me add quickly: The incidents we are finding of infections, hospitalizations, and deaths are almost exclusively from people who are not vaccinated—not vaccinated. They are the ones who are the most vulnerable, and they make innocent people, like our children, more vulnerable because of their decision not to be vaccinated.

This growth in our economy reflects a simple truth: Relief for working fam-

ilies benefits all Americans and drives our economy forward. We have a lot of work to do to build this economy, but this is where we should start.

I want to thank the bipartisan group of Senators who came together to produce this package. In many ways, it is miraculous. This agreement can do more and enable us to repair America's roads and bridges. It can show us the way a divided Senate can come together for the good of this country.

Just remember, there wasn't a single infrastructure bill—major infrastructure bill—in the last 5 years, under the previous President, not one. We are doing it now on a bipartisan basis that is long overdue.

I want to thank President Joe Biden for his determined leadership. Nothing this big and important is ever accomplished with a President standing on the sidelines.

Joe Biden promised to work with both parties to make America work for all Americans, and he has. This is an achievement we can be proud of.

#### IMMIGRATION

Madam President, let me conclude by saying that the Senate Republican leader, Senator MCCONNELL, came to the floor this morning to speak of immigration. I am glad he did because it is a topic we cannot ignore and must not ignore.

We have not passed a significant immigration bill in the United States of America in 36 years. Ronald Reagan was the President. And when you come with a list of horrors with the current immigration system, it is almost endless—the unfairness of the system.

But the Senator from Kentucky took a position which I take exception to. He believes that if we allow any immigrant into this country, it is a green light, as he called it, for others to try to come in legally or illegally.

I think he is dead wrong, because every year—every year—in the United States of America, with a population of over 320 million, we legally allow 1 million new immigrants to become this country, every year. That is what America is all about. We are a nation of immigrants, and we understand the value of immigrants to our country.

We had a hearing last week on farm workers. We have 2.4 million farm workers who pick the crops and process the food that we enjoy at every single meal—2.4 million. And, sadly, many of them are in horrible circumstances under our immigration laws. They are subject to deportation and arrest at any moment. For what? For being here picking the crops that our kids eat for breakfast and things that we count on every single day.

So the House of Representatives took a step forward, a bipartisan step forward. Thirty Republicans joined the Democrats to pass a farm worker bill. I want to give special credit to Senator MIKE BENNET, who has been a leader in this area. We have an agreement in this bill, for both growers and workers, to give those who do that back-break-

ing labor, day in and day out, a chance and a path to citizenship.

One of the critics came to our committee and said: Oh, mass amnesty for farm workers—why would we want to do that? These people come in and pick a few crops and we are going to give them citizenship.

I wish he would have taken a minute to read the bill. You know how many years it takes picking that farm crop to be eligible for citizenship under this bill? Fourteen to 19 years. Nineteen years. Does that sound like somebody stealing across the border, pretending to be a farm worker to become a citizen? Nineteen years of your life and then you are eligible.

It is only common human decency for us to do that.

We need workers in so many areas. In a hearing yesterday on meat processing, I asked the major companies that process meat in this country: What percentage of your workforce processing that meat are immigrant labor?

Well, they weren't sure. I know the number. The Migration Policy Institute tells us that 40 percent of the people who are processing poultry and meat in this country are immigrants.

Why? Why are they attracted to this job? Because so few Americans are attracted. They need to have immigrant labor to make up the difference. It is hard, hot, dangerous, back-breaking labor, and they do it every darn day so we can enjoy our meals.

And to say that we are going to ignore that reality, that we don't need a single immigrant in this country, is mindless.

I would just invite those who don't believe we need immigrants in this country going to work to make this a better nation, skip a few meals, because what is on your table is there because of immigrant labor.

Face the reality. Be honest about it, be fair about it, and don't label all of these people who are working in our country as would-be terrorists who are taking away valuable American jobs. They are an important part of America's past and an important part of our future.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

#### BORDER SECURITY

Mr. THUNE. Madam President, the Biden border crisis continues unabated. Far from being the seasonal surge the President claimed months ago, the numbers at the border keep growing.

Last month, the U.S. Customs and Border Protection encountered more than 188,000 individuals attempting to cross our southern border. That is not only the highest number seen so far this year; that is the highest monthly number in 21 years—21 years.

In all, Customs and Border Protection has had more than 1.1 million encounters along our southern border so far in fiscal year 2021, and we still have 3 months to go. In fiscal year 2019, by

comparison, the year before COVID, total—total—encounters for the entire fiscal year were under 980,000 individuals.

We have a border crisis—a crisis that President Biden seems unable or unwilling to address.

And as massive as those numbers I have mentioned are, they don't take into account those individuals who are sneaking across the border without being apprehended. Some of them are, no doubt, individuals who are looking for a better life. Others are almost undoubtedly criminals, engaged in the kind of illicit activities that we have to combat along our southern border—human trafficking, drug smuggling, and others.

In June, Customs and Border Protection seized more than 1,000 pounds of fentanyl along our southern border, an incredibly dangerous drug that some have pushed to classify as a weapon of mass destruction. That is more fentanyl than was seized in that area in the previous three Junes combined.

What has the Biden administration been doing to deal with the crisis along our border? Well, not much.

There has been no move to reinstate the national emergency designation for our southern border that President Biden canceled after he took office. There is no meaningful plan for stopping the flood of illegal immigration and enhancing security along our southern border. There is no move to reinstate funding for the congressionally mandated border wall that President Biden canceled.

In fact, the President is apparently contemplating ending title 42, which has allowed the government to immediately remove apprehended individuals in order to help manage the COVID crisis.

That is right. At the same time the CDC is expanding its masking guidance for Americans, the administration is contemplating ending a measure to help stop COVID-infected individuals from entering the United States.

And I haven't even mentioned the fact that apparently the administration has released tens of thousands of individuals into the United States without court dates, many of whom have failed to show up at Immigration and Customs Enforcement offices as directed.

The border situation is out of control, and President Biden bears a big part of the blame.

Immigration has helped build this country, and I strongly support making sure that the United States continues to offer a chance for individuals the world over to achieve their dream of a better life. I also support temporary worker programs, like the H-2B visa program, that allow individuals from other countries to come here for a limited time period to work and for the economic opportunity and then return to their home countries.

I also support a solution that would allow Dreamers to stay in the United

States if—if—such a solution is developed in the context of immigration reform and enhanced border security.

But we cannot have endless floods of illegal immigration. No country can. It is a humanitarian nightmare and a serious security risk.

Immigration has to have limits, and, most of all, it has to be legal. We need to protect and encourage legal immigration, while cracking down on illegal immigration.

Unfortunately, Democrats are going in the opposite direction. The word is that Democrats would like to include amnesty in the budget-busting, tax-and-spending spree that they are pushing to vote on later this year.

That is right. With a serious humanitarian and security crisis along our southern border, Democrats want to include amnesty in their spending plan.

Now, I can only imagine that this will encourage thousands more to make the dangerous trek to and across our southern border, not to mention how such a policy would undermine respect for the rule of law.

I wish I could say that I see some light at the end of the tunnel when it comes to the border, but if the Biden administration continues along its current path, I fully expect this security and humanitarian crisis to continue.

I can only hope that President Biden will recognize the problems his policies, or lack thereof, are causing, before too many more individuals suffer the consequences.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

REMEMBERING MIKE ENZI

Mr. MORAN. Madam President, I want to pay tribute to our colleague Mike Enzi and express my condolences to his family and pay my respects to him.

Senator Enzi's long career in public service began when he was elected as mayor of his hometown of Gillette, WY, in 1974.

I can just see Mike Enzi—a younger Mike Enzi—being the mayor of a place like Gillette, WY, and it brings a smile to my face and a warmth to my heart. And I can imagine how hard he worked to see that only good things happened to the citizens of his hometown.

He then went on to serve in the Wyoming House of Representatives and the Wyoming Senate, before being elected to four terms in the U.S. Senate, beginning in 1996.

Prior to being elected to office, Senator Enzi served in the Wyoming Air National Guard.

In Congress, Senator Enzi never wavered in his deeply held values and his beliefs, and yet he was always held by all of us in high esteem, by all of his colleagues on both sides of the aisle.

He had the ability for bringing a consensus, to bring us together, and that remained true even as this body became increasingly polarized.

In his farewell speech to the Senate, Senator Enzi—unfortunately, just a

few months ago, Senator Enzi spoke about his 80–20 rule. It is a rule that those of us who work with him knew well: the rule which emphasized focusing on the 80 percent of issues we agree on versus the 20 percent of issues where we disagree. It allowed Senator Enzi to work with Senators across the political spectrum on legislation that he cared so much about.

Senator Enzi carried himself in a quiet and serious demeanor. He was interested above all in achieving good policy outcomes for the people of Wyoming and the people of our Nation.

His leadership has been missed in this Chamber this year, but his legacy as a statesman and his impact on the State of Wyoming will live on forever.

My thoughts and prayers are with his family and friends during this time, including his wife Diana, their daughters Amy and Emily, and son Brad and his grandchildren.

Senator Enzi, may you rest in peace, and please know that your time in the U.S. Senate and your time living on this Earth was well spent, a role model for the rest of us. Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SCHATZ). Without objection, it is so ordered.

CORONAVIRUS

Mr. GRASSLEY. Mr. President, I learned on Friday that the Department of Justice has opted not to pursue a civil rights investigation into government-run nursing homes in several States about their response to the COVID-19. Earlier this year, I urged the Department to pursue this investigation, and I, today, call on the Attorney General to reconsider this decision that I learned about last Friday. I do that in light of media reports suggesting that the obstruction of justice may have occurred in at least one of these jurisdictions.

Close to 1 year ago, the Department sought information from four States. Those four States are New York, New Jersey, Pennsylvania, and Michigan. The information sought was about the number of COVID-19 infections and deaths in their public nursing homes.

The Department's request for this information came on the heels of media reports suggesting that State officials in these jurisdictions had pressured nursing homes to accept patients, regardless of their COVID-19 status. It was reported that officials in New York also may have engaged in a coverup by actively concealing from the public the actual number of COVID-19-related fatalities in that State's nursing homes.

Serious questions remain to this day about whether the Governors in New York and these three other jurisdictions helped fuel the COVID-19-related

death tolls in nursing homes through the issuance of their own executive orders that went against the advice of geriatricians.

Yet the Department is declining to pursue the matter. And in the case of New York, this is particularly troubling.

New York's Governor not only reportedly pressured nursing homes in his State to accept patients during the initial stage of the pandemic, regardless of their COVID-19 status, but his administration did not provide an accurate picture of the actual death tolls to the public. This lack of transparency was done to avoid accountability. So put very simply, the public deserves better.

According to a report by the New York Post, a top aide to Governor Cuomo even apologized to a group of Democratic State lawmakers during a phone call for reportedly withholding data on COVID-19-related nursing home fatalities during this pandemic.

The Department's Civil Rights Division won't investigate, but at least the FBI and prosecutors at the U.S. Attorney's Office are looking into the matter. These Federal prosecutors' review reportedly focuses on whether Governor Cuomo's administration underreported COVID-19 deaths in the nursing homes in an effort to avoid negative publicity.

At least someone is looking at this. However, I am disappointed that the Justice Department proper and Attorney General Garland have decided to pull their punches.

As I stated today in a letter to the Attorney General, it would be a grave injustice to those who perished in these facilities during the pandemic to neglect to fully explore such widely reported and troubling allegations.

And as others, too, have noted, promoting more accountability and transparency is vital under these circumstances. It would not only help prevent similar missteps in the future but also maintain public confidence in the Department, which is waning under the Department's current leadership.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EMERGENCY SECURITY SUPPLEMENTAL TO RESPOND TO JANUARY 6TH APPROPRIATIONS ACT, 2021

Mr. LEAHY. Mr. President, as the distinguished Presiding Officer knows from all his involvement and the negotiations that have been going on, we do have an emergency security supplemental issue before us. So I am speaking now to urge that the Senate take up and pass H.R. 3237, which is the Emergency Security Supplemental Ap-

propriations Act of 2021, which the House sent over, and we add a Leahy-Shelby substitute amendment.

Let me describe a little bit for my colleagues what the Leahy-Shelby substitute amendment is. It is the result of bipartisan compromise between myself and Vice Chairman SHELBY.

We have been working on this for weeks and weekends. Our staff has been working late into the night. And I want to thank Senator SHELBY both for his hard work and his friendship.

This \$2.1 billion package is designed to address the aftermath of the violent insurrection that took place on January 6, is designed to heal the remaining scars of the COVID pandemic on the Capitol Complex, and provide the resources we need to ensure the safety of our Afghan partners as we conclude our mission in that country.

Let me tell you why there is urgency in this. If we don't act, then the Capitol Police will deplete salaries funding in literally a matter of weeks. The National Guard all over the country will be forced to cancel needed training to carry on their mission at home and abroad. We all remember when we went out speaking to members of the National Guard from most of our States who were here to help with the security of the Capitol in January.

So if we did nothing, that would be sort of a security crisis entirely of our own making in what it would do to the Capitol Police and what it would do to our National Guard.

But by acting, we prevent that crisis. We provide the Capitol Police with \$70.7 million in resources for overtime pay, retention bonuses, mental health services, and new equipment and training.

Let me tell you why this is necessary. Since January 6, 73 officers have left the Capitol Police, and that is not sustainable. We have to make a strong statement of support for those officers who defended this building, and all it stands for, on that terrible day.

This week, the Nation is hearing the testimony of the officers who fought the violent insurrectionist mob on that day, and their trauma is real. Anybody watching their testimony knows it cannot be brushed aside.

We also provide \$521 million to fully fund the cost of the National Guard deployment to Capitol Hill. From around the country, including my own State of Vermont, the women and men of the National Guard responded without hesitation to our call for help. We shouldn't hesitate to reimburse those costs.

I remember during daylight hours and also late at night going around thanking members of the National Guard, not just from my State but from all the other States, for what they were doing. But I think it takes a little bit more than just a thank-you. We basically told them we will pay for this. Well, now we will.

But that is not all we need to do. We need to secure the Capitol Complex. On

January 6, the shattered windows and doors were broadcast to the world, laying bare that our seat of democracy is not some impenetrable fortress. We can't just replace the windows, fix the doors, and say: OK. Everything is fixed. We need to secure the entire complex, including the office buildings where thousands of public servants work and countless constituents visit.

So our bill provides \$300 million to harden accessible windows and doors to the Capitol Building and the Senate and House Office Buildings and to install new security cameras around the complex.

Our bill also fulfills our responsibility to support the dedicated public servants who worked overtime, way overtime, to clean up the mess left by a violent mob and diligently worked to ensure our safety during the darkest hours of the pandemic.

We must support those who supported us. That is not just a political or economic responsibility; that is a moral responsibility. That means paying for the costs we have incurred protecting staff, the Members, the entire Capitol community from COVID, including cleaning costs and personal protective equipment, none of which has been paid for. Until now, we covered the costs by robbing Peter to pay Paul. That is unsustainable.

Our bill addresses this by providing \$42.1 million to reimburse the costs of cleaning, personal protective equipment, telework equipment, and the salaries of employees and contractors who would have been laid off in the height of the pandemic.

Finally, in the Leahy-Shelby legislation, we stand with the brave Afghans who supported our mission through two decades of war. By now, we have all seen the gruesome reports of men and women being summarily executed in the street, sometimes in front of their families. Why? Because they had supported us. And that slaughter is only going to escalate.

We have to provide resources for additional special immigrant visas, SIVs, for translators and other Afghans who worked with Americans over the past two decades, as well as for additional humanitarian relief to Afghan refugees.

Our bill does just that. It provides \$1.125 billion to fulfill our commitment to those brave Afghans.

Let me tell you what the funds will do. They will support emergency transportation, housing, and other essential services to our Afghan partners coming to the United States under special immigrant visas, and humanitarian aid for the inevitable flood of Afghans fleeing to neighboring countries. The United Nations has estimated that could swell to 500,000 refugees in just the next few months.

We have also increased the number of Afghan special immigrant visas by 8,000. We have made improvements to strengthen the program, expand the reach of its protections.



The reason we have this in the Leahy-Shelby bill is that there is bipartisan understanding that this is an urgent need, and we have, as the United States of America, a moral responsibility to address it immediately.

Now, some have said we should just do the bare minimum. Some will say: Let's take care of the most pressing needs now and work on this maybe later on—maybe. But I have served in the U.S. Senate long enough to know that a promise to do something later is no promise at all. I cannot accept a piecemeal approach to the urgent security needs facing our Nation. They are facing us today, not sometime when we may think about it a few months or years from now.

Vice Chairman SHELBY has a proven track record of reaching bipartisan compromise. I would note that this agreement does not include everything I want. I am sure it includes some items that he would have preferred to not be included. But it is a strong bipartisan bill. We have come together to give the best piece of legislation possible for the U.S. Senate.

A pandemic happened. A violent insurrection happened. And the President announced the withdrawal of American troops from Afghanistan. The needs are urgent. We must address them now.

So I am urging all Senators to not only support the bill but actually to pass the bill today because it still has to go back to the House of Representatives this week. There is no time. There is no time left. It is a good piece of legislation. It is a necessary piece of legislation, and some would say, at least on the Afghan part, inevitable. Both President Trump and President Biden said they wanted to withdraw our troops this year. Well, they are withdrawing. Now we have to fulfill our responsibility.

Mr. President, I know that Senator SHELBY will be on the floor to speak in a few moments, so I will suggest the absence of a quorum and ask that Senator SHELBY be recognized when we come out of the quorum call.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I ask that I be allowed to speak for a few minutes, do my unanimous consent, and then go right to Senator SHELBY.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, first, I want to just give my great thanks to Senator LEAHY and Senator SHELBY for bringing this vote here right now. The bottom line is very simple: This wasn't easy to get done. A UC on these kinds of issues should be easy, but it is not. Senator LEAHY persisted and persisted

and persisted, and I want to thank him as well.

Senator SHELBY persuaded the Members on his side that we had to move, and they have come up with a good compromise. It is not everything our side wanted, but it is very good.

I also want to thank Senator KLOBUCHAR and Senator BLUNT. Their work on the authorizing committee, the Rules Committee, helped pave the way for this, with all the information they brought out, and they deserve a lot of credit.

Now, look, to keep the Capitol Complex safe and secure, we are lucky to have the best of the best. As I said earlier today, our Capitol Police risk their lives for us. They go all out for us. They are really, really important. The National Guard went all out for us, too, on that fateful day and then for months afterwards. I remember walking through the halls early in the morning, thanking them as they were bivouacked out through the Capitol Visitor Center and everything else.

Now we are about to run out of money. Already, the Capitol Police have forgone some of the things that they usually do in terms of training, in terms of other types of activities, and soon, salaries, bonuses, and new hiring will be on the chopping block. Similarly, many of our National Guard units from around the country that sent troops here, soldiers here, men and women here, are running out of money.

We can't let that happen. So passing this amendment is living up to our responsibility to keep this grand Capitol safe, this temple of democracy, this citadel of democracy safe, and to make sure that the people who risk their lives for us and protect us get the help they need.

It shouldn't have taken this long, but here we are, and I am glad we are on the floor.

UNANIMOUS CONSENT AGREEMENT—H.R. 3237

Therefore, I ask unanimous consent that notwithstanding rule XXII, at a time to be determined by the majority leader, following consultation with the Republican leader, the Senate proceed to the consideration of Calendar No. 63, H.R. 3237; that the only amendments in order be the following: the Leahy-Shelby substitute, No. 2123, and the Cotton amendment to the Leahy substitute, No. 2124; that there be 6 minutes for debate equally divided between the two leaders or their designees; that upon the use or yielding back of time, the Senate vote in relation to the Cotton and Leahy amendments; that if a budget point of order is raised and a motion to waive is made, the Senate vote on the motion to waive; and that if waived, the bill, as amended, if amended, be considered read a third time and the Senate vote on passage of the bill, as amended, if amended, and the motions to reconsider be considered made and laid upon the table, all without intervening action or debate, with 60 affirmative votes required for passage of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. One more point. I hope this will be unanimous. It is hard for me to believe that any Member would not want to support our Capitol Police. For Members to take umbrage at the Capitol Police when they did their job and protected us for some kind of crazy ideological reason would be disgraceful. I hope there will be a unanimous vote for this.

Mr. President, I ask unanimous consent that the agreement now be executed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Thank you, Mr. President.

Thank you, Senator LEAHY.

Thank you, Senator SHELBY.

#### EMERGENCY SECURITY SUPPLEMENTAL TO RESPOND TO JANUARY 6TH APPROPRIATIONS ACT, 2021

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3237) making emergency supplemental appropriations for the fiscal year ending September 30, 2021, and for other purposes.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I will just take a few minutes here. This is very important, that we get this supplemental passed.

I want to first thank my colleague and the chairman of the Appropriations Committee, Senator LEAHY, for the work he has done here, working together to get where we are today. This has been a lot of work, working together, but it also shows that we can work together in a bipartisan way and put the country first, and this is evidence here.

What does this bill do? It sticks to immediate security needs, the urgently needed funding to safeguard the Capitol, ensure National Guard readiness, and protect our allies in Afghanistan. That is among other things. It is just over \$2 billion total, more than half of which is for the Department of Defense. Out of the defense funding, \$521 million is to fill National Guard shortfall and about \$500 million to evacuate Afghan allies; \$600 million for the State Department to fund Afghan special immigration visas; \$100 million for our own Capitol Police here, to fund that; and \$300 million for security enhancements around the Capitol.

I strongly urge my colleagues to vote yes for this.

Again, I want to thank Senator SCHUMER and Senator MCCONNELL, our leaders on both sides of the aisle, for helping bring this to where we are today.

The PRESIDING OFFICER (Mr. KING). The Senator from Indiana.

Mr. BRAUN. Mr. President, we need to support our Capitol Police, and we



will. We need to repay our National Guard, and we will. We need to protect our allies who kept our troops safe, and we will.

Emergencies arise, and the biggest threat to dealing with them, in my opinion, is fiscal irresponsibility in DC. We could have easily paid for the major parts of this legislation with offsets within the DOD.

I think our spending process is broken at every level. We don't do budgets anymore. We vote that the rules don't matter. It seems like Congress can only agree on one thing: Deficits and debt don't matter anymore. But they do. And both parties are to blame. And they threaten our ability in the long run to respond to emergencies when they arise, like the important ones in this bill, not to mention that everything we do here currently is on borrowed money literally from our kids and our grandkids.

My point of order reference has my friend Mike Enzi's name at the top of it. I am speaking here today for the reasons I just mentioned and in honor of him as well.

I yield the floor.

#### AMENDMENT NO. 2123

(Purpose: In the nature of a substitute.)

Mr. LEAHY. Mr. President, I ask unanimous consent that my amendment and Senator SHELBY's be called up.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY] proposes an amendment numbered 2123.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The PRESIDING OFFICER. The Senator from Alabama.

#### AMENDMENT NO. 2124 TO AMENDMENT NO. 2123

Mr. SHELBY. Mr. President, I call up amendment No. 2124 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Alabama [Mr. SHELBY], for Mr. COTTON, proposes an amendment numbered 2124 to amendment No. 2123.

The amendment is as follows:

(Purpose: To require a report to Congress on the health of the Afghan special immigrant visa program)

On page 17, between lines 2 and 3, insert the following:

(c) Report to Congress.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate congressional committees a report, including a classified annex, if necessary, on the Afghan special immigrant visa program as described in Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) and Section 1059 of the National Defense Authorization Act of 2006 (8 U.S.C. 1101 note).

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The total number of visas issued under such program, disaggregated by fiscal year.

(B) With respect to principal aliens issued special immigrant visas under such program, a description of the types of roles performed for which such aliens earned eligibility for such visas.

(C) Information regarding the average processing times for visa applicants under such program, disaggregated by the fiscal year in which visa applications under the program were submitted.

(D) The number of individuals who have pending applications for visas under such program, including—

(1) The number of individuals approved of the total number of applications processed by the Chief of Mission; and

(2) The number of successful appeals of the total number of application appeals filed.

(E) The estimated total number of individuals who have performed the requisite employment to apply for a visa under such program, but who have not yet applied for or received a visa, including a description of the methodology used to create such an estimate.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(A) the Committee on Appropriations, the Committee on Armed Services, the Committee on the Judiciary, the Committee on Foreign Relations, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, the Committee on the Judiciary, the Committee on Foreign Affairs, and the Committee on Homeland Security of the House of Representatives.

The PRESIDING OFFICER. The Senator from Indiana.

#### POINT OF ORDER

Mr. BRAUN. Mr. President, Senate amendment No. 2123 would make new budget authority available for fiscal year 2021. The Senate Committee on Appropriations has not filed its suballocations as required by the Congressional Budget Act.

Therefore, I raise a point of order against the amendment pursuant to section 302(c) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, pursuant to section 904 of the Congressional Budget Act, I move to waive all applicable sections of that act or any applicable budget points of order for purposes of the pending amendment.

I ask unanimous consent to yield back all time.

The PRESIDING OFFICER. Is there objection to time being yielded back?

Without objection, it is so ordered.

Mr. LEAHY. I understand we are going to have a voice vote on the Cotton amendment.

#### VOTE ON AMENDMENT NO. 2124

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2124) was agreed to.

#### MOTION TO WAIVE

Mr. LEAHY. I ask for the yeas and nays on the motion to waive.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: The Senator from Kansas (Mr. MARSHALL) and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting, the Senator from Kansas (Mr. MARSHALL) would have voted "nay."

The result was announced—yeas 72, nays 26, as follows:

[Rollcall Vote No. 286 Leg.]

#### YEAS—72

|              |              |            |
|--------------|--------------|------------|
| Baldwin      | Grassley     | Portman    |
| Bennet       | Hassan       | Reed       |
| Blumenthal   | Heinrich     | Romney     |
| Blunt        | Hickenlooper | Rosen      |
| Booker       | Hirono       | Rubio      |
| Brown        | Hooven       | Sanders    |
| Burr         | Hyde-Smith   | Schatz     |
| Cantwell     | Kaine        | Schumer    |
| Capito       | Kelly        | Shaheen    |
| Cardin       | King         | Shelby     |
| Carper       | Klobuchar    | Sinema     |
| Casey        | Leahy        | Smith      |
| Cassidy      | Lujan        | Stabenow   |
| Collins      | Manchin      | Tester     |
| Coons        | Markey       | Tillis     |
| Cortez Masto | McConnell    | Tuberville |
| Cramer       | Menendez     | Van Hollen |
| Cruz         | Merkley      | Warner     |
| Duckworth    | Murkowski    | Warnock    |
| Durbin       | Murphy       | Warren     |
| Ernst        | Murray       | Whitehouse |
| Feinstein    | Ossoff       | Wicker     |
| Gillibrand   | Padilla      | Wyden      |
| Graham       | Peters       | Young      |

#### NAYS—26

|           |          |            |
|-----------|----------|------------|
| Barrasso  | Hagerty  | Paul       |
| Blackburn | Hawley   | Risch      |
| Boozman   | Inhofe   | Sasse      |
| Braun     | Johnson  | Scott (FL) |
| Cornyn    | Kennedy  | Scott (SC) |
| Cotton    | Lankford | Sullivan   |
| Crapo     | Lee      | Thune      |
| Daines    | Lummis   | Toomey     |
| Fischer   | Moran    |            |

#### NOT VOTING—2

Marshall  
Rounds

The PRESIDING OFFICER. On this vote, the yeas are 72, the nays are 26.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to and the point of order falls.

#### VOTE ON AMENDMENT NO. 2123

The PRESIDING OFFICER. The question is on agreeing to the Leahy amendment, as amended.

The amendment (No. 2123), in the nature of a substitute, as amended, was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. Under the previous order, the bill is considered read a third time.

The bill having been read the third time, the question is, Shall the bill pass?

Mr. HEINRICH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Kansas (Mr. MARSHALL) and the Senator from South Dakota (Mr. ROUNDS).

The PRESIDING OFFICER (Ms. WARREN). Are they any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 287 Leg.]

#### YEAS—98

|              |              |            |
|--------------|--------------|------------|
| Baldwin      | Grassley     | Peters     |
| Barrasso     | Hagerty      | Portman    |
| Bennet       | Hassan       | Reed       |
| Blackburn    | Hawley       | Risch      |
| Blumenthal   | Heinrich     | Romney     |
| Blunt        | Hickenlooper | Rosen      |
| Booker       | Hirono       | Rubio      |
| Boozman      | Hoeven       | Sanders    |
| Braun        | Hyde-Smith   | Sasse      |
| Brown        | Inhofe       | Schatz     |
| Burr         | Johnson      | Schumer    |
| Cantwell     | Kaine        | Scott (FL) |
| Capito       | Kelly        | Scott (SC) |
| Cardin       | Kennedy      | Shaheen    |
| Carper       | King         | Shelby     |
| Casey        | Klobuchar    | Sinema     |
| Cassidy      | Lankford     | Smith      |
| Collins      | Leahy        | Stabenow   |
| Coons        | Lee          | Sullivan   |
| Cornyn       | Lujan        | Tester     |
| Cortez Masto | Lummis       | Thune      |
| Cotton       | Manchin      | Tillis     |
| Cramer       | Markey       | Toomey     |
| Crapo        | McConnell    | Tuberville |
| Cruz         | Menendez     | Van Hollen |
| Daines       | Merkley      | Warner     |
| Duckworth    | Moran        | Warnock    |
| Durbin       | Murkowski    | Warren     |
| Ernst        | Murphy       | Whitehouse |
| Feinstein    | Murray       | Wicker     |
| Fischer      | Ossoff       | Wyden      |
| Gillibrand   | Padilla      | Young      |
| Graham       | Paul         |            |

#### NOT VOTING—2

Marshall Rounds

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the passage of this bill, the bill, as amended, is passed.

The bill (H.R. 3237), as amended, was passed.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I thank my colleagues for joining both myself and Senator SHELBY on the Leahy-Shelby amendment. There have been weeks of negotiation, most of it quiet but weeks of negotiation going on in this.

I am sure I can speak for both Senator SHELBY and myself. We each might not have gotten everything that we wanted, but on this specific issue, we got what the country needed. We got the improvements for the security of our Capitol, the symbol of our democracy. We showed what we can do to help take care of the damage to the Capitol Police, what we can do to help those who work so hard here in the Capitol, the men and women throughout the Capitol and Capitol Complex facing the threat of COVID.

And thanks to bipartisan efforts, we had the issue of people who had worked with our military and our government in Afghanistan. And, now, as we withdraw, something that both President Trump and President Biden wanted to

do within this timeframe—as we withdraw—they face retribution from the Taliban. We had to show our commitment to protect them and to save them, and there is money and laws that are in this that will help.

All in all, it meant a lot of Republicans and a lot of Democrats had to come together. I have been here longer than anybody else in this body, and I have seen days when Republicans and Democrats come together and we accomplish something, and I have seen times when we don't and nothing gets accomplished.

I have also found, over these years, that nobody gets every single thing they want, but you try and do things that will make the country better, that will help the United States of America, that will help the things that we stand for.

This bill, the fact that it has passed 98 to 0, is an example of that. So I thank my colleagues.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, I ask unanimous consent that further remarks of mine, that I be able to add them to the RECORD, including so many of the people who needed and should have been thanked for what they have done, that they be added in the RECORD along with my earlier statement.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### CHAIRMAN LEAHY LIST FOR H.R. 3237 STAFF FOR THE RECORD

I would like to thank the staff of the Committee on Appropriations on a bipartisan basis, for their significant contributions on HR 3237, the Emergency Security Supplemental Appropriations Act 2021, including Charles Kieffer, Chanda Betourney, Erik Raven, Katy Hagan, Brigid Kolish, Drew Platt, Jean Toal Eisen, Jennifer Eskra, Alex Keenan, Mike Gentile, Jessica Berry, Hannah Chauvin, Tim Rieser, Sarita Vanka, Kali Farahmand, Madeleine Granda, Jenny Winkler, Valerie Hutton, Jay Tilton and Maddie Dunn, as well as Shannon Hines, Jonathan Graffeo and David Adkins from Vice Chairman Shelby's staff.

Mr. LEAHY. I suggest the absence of a quorum.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SULLIVAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO LYDIA JACOBY

Mr. SULLIVAN. Madam President, it is Thursday. It is my favorite time of the week. I get to come down on the Senate floor and talk about someone who has made an impact on their com-

munity, maybe the State, maybe the country, and, occasionally—occasionally—the world. That is what I call our Alaskan of the Week.

Now, this is going to be a little bit of a historic “Alaskan of the Week.” I have been doing this, gosh, going on 6 years almost, and while this is a historic moment, because we have never made someone an Alaskan of the Week twice—it has never happened. We are making Senate history right now. But you might know that we had a historic week in the Olympics because our Alaskan of the Week a month ago, whom we talked about here on the Senate floor, Lydia Jacoby, when she made the Olympic team, she won Gold. And for anyone who saw that race, that 100-meter breaststroke race a couple of nights ago, you will probably never forget it. We certainly are not going to forget it.

And I guarantee you, Lydia's hometown of Seward, AK—a beautiful, incredible town of 3,000 people, wonderful people—they are not going to forget it.

So history is right here on the Senate floor. Lydia Jacoby, gold medalist—as the Washington Post called it in a headline, “an Alaskan Stunner”—is our Alaskan of the Week for the second time.

You know, I always talk a little bit about Alaska before I do my “Alaskan of the Week” speech. A lot of people, particularly at this point in the summer, when they are visiting, are curious about the light: if the Sun ever sets in the summer, when it rises. So what I always try to do is tell people: Come on up and see for yourself. We would love to have you. We are having a beautiful summer.

I will give you a hint. Right now in Seward, AK—that is the home of our Gold medal Olympian athlete, Lydia—the Sun will rise today at 5:32 a.m. and set around 10:35. We lost about 5 minutes from yesterday. But if you are still thinking about coming up to Alaska for a summer trip, come on and do it. There is still lots of Sun.

There is tons of excitement across my State, and there is tons of excitement across Alaska, in Seward and everywhere else, because of this incredible young 17-year-old. And if you saw it on TV, Seward, AK, Monday night was probably the site of the best Olympic watch party ever—I hope people saw that—ever.

So I talked about Lydia about a month ago when she cinched her spot on the team, and she did that by actually swimming the second fastest time in the world in the women's 100-meter breaststroke finals in the Olympic trials for the United States. So we, in Alaska, knew she was something.

I will mention this again: Alaskans, we punch above our weight in the Winter Olympics. We do really well in the Winter Olympics, for reasons that most people probably understand, and we have done pretty well in the Summer Olympics, particularly in trapshooting, riflery. We have an Olympic veteran

rugby player right now. Alev Kelter from Eagle River is also competing. Her team made the Olympic quarter-finals. She might be on the field later tonight, so good luck to her. We are going to be rooting for her as well.

But Alaska has never sent a swimmer to the Olympics, ever, let alone won a gold. As the NBC announcer said after the race, Alaska “is not exactly your hotbed of swimming in America.”

Someone else pointed out that Alaska is dead last in the United States in terms of swimming pools per mile by far. We don't have a lot of swimming pools. And, as a matter of fact, Lydia's story is even more impressive because there is only one Olympic-sized pool in the whole State of Alaska, and that is in Anchorage, a 2½-hour drive from Seward, her hometown.

So I will just reiterate a little bit more about this remarkable young woman and her dedicated mom and dad who raised her. Her parents, Leslie and Richard, are both boat captains. Leslie is the educational coordinator for the Marine Science Explorer Program at Kenai Fjords Tours, and Rich is a maritime instructor at the Alaska Vocational Technical Center—AVTEC, as we call it—and he also is a guide for Arctic and Antarctic trips.

They raised their daughter Lydia in Seward, signed her up for swim classes when she was a toddler. Good job, Mom and Dad. She joined the swim club when she was just 6 years old. When she was 10, she was selected for the Alaska Swimming Zone Team. State qualifying meets allowed her to go on trips.

In between all of this, she was and continues to be a musician, learning to play the guitar and upright bass. She sings. She plays at folk festivals. Her band is the Snow River String Band. She was also in theater and in track. She likes to write, take pictures, and explore tidal basins. This is just a good, all-American teenager in Alaska.

And, of course, she excelled in swimming. Her parents continued to be, in their words, surprised and amazed and, of course, so proud.

One of her coaches, Solomon D'Amico, described her as “kind, quiet, and yet confident” and said that Lydia had an “intense fire,” one that you might not see immediately in her. But neither her parents nor her coach pushed her too hard. They wanted the drive to come from her, and it certainly did.

On Monday night, when this historic race started, the NBC announcers were focused mostly on the reigning Olympic champion and world record holder, American Lilly King, as well as the newly minted Olympic record holder, Tatjana Schoenmaker of South Africa. In the announcers' minds, that is where the competition was.

But we knew better, especially in Seward, AK, where about 400 people gathered for the race. All eyes were on Lydia. They knew all along she could do it.

In Tokyo, the NBC announcers started to notice the underdog. And if you haven't watched the race, go to YouTube. It is so exciting. And they saw her starting to pull ahead in the final seconds. You could hear the announcers getting excited. They said:

Then you've got Jacoby, lane 3, challenging Schoenmaker. Watch Jacoby. Lydia Jacoby, the 17-year-old from Alaska, is putting on the surge of her career.

Watch it. It is so exciting. And, of course, she did. Now, there is a video of everybody watching in Seward, which quickly went viral, of Lydia's friends and classmates and neighbors jumping up and down, stomping the floor, when the announcer yelled, “Alaska has an Olympic Gold Medalist. Oh, my gosh.”

The place went nuts.

Anyone watching, if you want to get Olympic joy, go on the website and look at the Twitter video that the Olympics put up. It is a split-screen shot of the race at the top and the great fans in Seward, AK, cheering. And when she wins, watch what happens. It is priceless. It is Olympic joy at its best.

Lydia's parents, Rich and Leslie, were in Florida, where NBC and the Olympic Committee had set up a watch party for families of the athletes. They, too, knew that she had it in her to win the gold. Her dad said: “When she hit the wall at the turn, we knew she was right in there. She likes to run [people down]” in her races.

On television, the joy and the pride of her parents was also priceless. They are still filled with excitement and pride and, let's face it, a little bit of shellshock. And they are so grateful for the outpouring of support from Alaskans and, let's face it, Americans across the country.

“It's true,” Rich said, “about Alaska being the biggest small town in the world.” Rich said that Lydia is doing great; she is happy, tired, a bit overwhelmed. We don't know yet. She might be competing in an upcoming relay race, which she is super excited about. We will see if that happens.

As for what is next, her dad said Lydia is going to continue her life of being a normal teenager; participate in high school sports, no doubt, continue to play music; and she is still planning on attending the University of Texas in the fall, a normal teenager but who has touched so many lives across Alaska, particularly Seward, but across the country—really, across the globe.

As one Washington Post columnist put it on Lydia's win, “There are moments at [the] Olympics that redefine a town. And there are moments at [the] Olympics that make you say: ‘That's why I watch [the Olympics]. That's why I came. That's what [the Olympics] is!’ all about.”

And I think we all saw that when we watched this race. We saw that, including the two other competitors who won the silver and bronze, Lilly King and Tatjana Schoenmaker, who came over to Lydia and were so gracious, hugging her, joyful.

So I want to thank them. I want to thank Lydia's coaches, including Solomon, who put so much training and dedicated so much time and effort to her skills; and, of course, to her mom and dad for their very hard work, early morning practices, raising an exceptional daughter; to the competitors; really, everybody.

And, of course, to Lydia: Great job on your hard work, dedication, grit, determination. Throughout the years, so many people—throughout the decades, so many people have dreamed of finding gold in Alaska, and you are an Alaskan who found gold in a way that has inspired and overjoyed not just your community of Seward, not just our State, but literally our country and the world.

So, Lydia, congrats on the gold medal; congratulations on your win; and congratulations, for the first time in Senate history, on being the only person ever to be our Alaskan of the Week two times. Great job.

I yield the floor.

The PRESIDING OFFICER (Mr. DURBIN). The Senator from Connecticut.

REMEMBERING SEPTEMBER 11TH

Mr. BLUMENTHAL. Mr. President, in just a few weeks, our Nation will come together to remember September 11. It will be the 20th anniversary of that unspeakable act of horror, an attack on our Nation that devastated us and, most particularly, the families and loved ones who lost members of their family and friends—the fallen—who will be remembered on that day and honored.

And I have been honored to stand with those families over the years, as many of us have, as they remember their loved ones and continue to face the trauma and immeasurable grief of their loss. And in these years, many of those families have sought justice. They have tried to honor their loved ones with action to vindicate not only their individual grief and mourning but also justice for our Nation, truth, and truth-telling in the courts of law in this country. They have brought legal action against the Kingdom of Saudi Arabia in the face of mounting, significant credible evidence that, in fact, the Saudis aided and abetted that attack on our Nation.

As a Congress, we have acted to support that effort, and I was proud to help to lead the Justice Against Sponsors of Terrorism Act, known as JASTA, when we passed it overwhelmingly here, and then on a bipartisan basis, we overrode the President's veto. It was President Obama who vetoed it, and many of us, including the Presiding Officer, voted to override that veto, I believe.

We opened the courthouse doors to the 9/11 families in their legal effort to hold Saudi Arabia accountable in the face of that evidence of its potential complicity. Again, I was proud to stand with these families in 2018 when I introduced, with the help of Senators

CORNYN, SCHUMER, GILLIBRAND, MURPHY, and MENENDEZ, a resolution urging that documents related to the September 11 attack be declassified to the greatest extent possible.

That resolution passed the U.S. Senate unanimously—unanimously—because all of us recognized that the survivors and the families of the fallen and the American people deserved answers, the truth about what happened on September 11, who was behind it, who supported it, who aided and abetted, and who was complicit in enabling that handful of terrorists to do such a devastating attack and unspeakable horror on this Nation. Many of us have stood with those families to ensure that the 9/11 families not only get their day in court but are also able to go to court with all the evidence they need to have a fair chance to prove their case.

I have asked questions at oversight hearings, including of Director Wray of the FBI. I have sought commitments from nominees like Attorney General Garland. I have written letter after letter after letter, with Democrats and Republicans alike, calling on the Department of Justice and the FBI to provide information that the 9/11 families have requested.

I am proud to continue to stand with those families as we approach this 20th anniversary date, but I also, in fairness to this administration, want to say that the moment of truth-telling now has arrived, and there is a moment of reckoning here.

These families, since JASTA, have been engaged in an epic legal struggle against the Kingdom of Saudi Arabia for aiding and abetting the terrorists who attacked the United States on September 11, but now that struggle is also one against their own government, our government, because while Congress did our job in passing JASTA, opening the courthouse door to give those 9/11 families a chance at justice, the last administration invoked the state secrets privilege without explanation to shield the documents and information the 9/11 families need to make their case.

The last administration denied them their fair day in court, and I say with great regret that the current administration seems intent on doing the same. My hope is otherwise. That is the reason I have raised this issue publicly and privately repeatedly, not only in the last years but in the last weeks. To deny information to the 9/11 families and, equally important, to the American people is unacceptable, and it is unconscionable.

The requests that I and so many of my colleagues have made to the Department of Justice and the FBI to disclose and declassify what can be disclosed and declassified in the national interest—those requests have gone unanswered. Sadly, the executive branch across administrations has repeatedly failed to provide any explanation—let me repeat: failed to provide any explanation—let alone meaningful justification for why there has been no disclosure. That denial of explanation or justification is itself also unacceptable and unconscionable. These families will never get their loved ones back, but at the very least, they should get answers. In fact, they deserve answers. They deserve the truth. The American people deserve the truth.

Now, what the executive branch has done is to invoke broadly and unspecifically something called state secrets privilege. State secrets privilege was and remains intended to prevent court-ordered disclosure of government information when genuine and significant harm to the national defense or foreign relations is at stake but only to the extent necessary to safeguard those interests.

It is also clear under the Department of Justice rules that it should be invoked only upon sufficient showing that it is necessary “to protect information the unauthorized disclosure of which could reasonably be expected to cause significant harm to national security and that the invocation be narrowly tailored for that specific purpose.”

Here is the problem: We don’t know if that is what happened in the 9/11 families’ case or in many other cases. We don’t know whether decisions to invoke this privilege met this high and exacting standard or were narrowly tailored. And we don’t know because in the 9/11 families’ case, the Department of Justice and the FBI have claimed that even the Trump administration’s “justification for secrecy needed to remain secret” and the “public discussion of the issue ‘would reveal information that could cause the very harms [the] assertion of the state secrets privilege is intended to prevent.’” These blanket assertions and vague justifications undermine both public confidence that our government will only invoke the privilege to protect national security and the pursuit of justice.

Now, let’s be very clear. There are times when disclosure can imperil methods and secrets and sources in information gathering. There are times when secrecy is important to protect an ongoing investigation. We are talking here about disclosure of information relating to an attack 20 years ago. There is no indication of any ongoing investigation into the attack on our country. There has been no explanation that sources and methods may be imperiled. There has been no justification whatsoever.

Similar rationales, blanket assertions of protection, have prevented explanations in other cases as well and in some instances have led to the withholding of documents or information and outright dismissal of cases, depriving victims of an opportunity for justice.

In 1948, three civilians were killed when a B-29 aircraft testing secret electronic equipment crashed in Waycross, GA. Their grieving widows did the only thing they could, bringing a wrongful death action in Federal court against the government. But the invocation of the state secrets privilege prevented them from receiving justice and the truth.

In 2003, Macedonian officials abducted a German citizen at the request of the CIA. In that instance as well, justice was sought unsuccessfully, and the case was dismissed because the government invoked the state secrets privilege.

In 2006, the FBI allegedly engaged in the targeted religious profiling of Muslims in Southern California. If true, it was and it remains an egregious abuse, one that led these individuals to sue the FBI. But rather than let the case proceed and rather than let the truth come to light about what the FBI did and why, the government asked the trial court to dismiss the case on the basis of the state secrets privilege, and the trial court agreed. This case, however, is not yet over because the Supreme Court will hear it in the fall after it has wound its way through the lower courts. As we know, justice is often delayed. In this instance, justice delayed is justice denied, again because of the state secrets privilege.

Let me close with a bit of history. On September 11, 2019, the then-President of the United States, Donald Trump, made a promise. He made a promise to the 9/11 families. He made a promise to them to their faces. He looked them in the eye, shook their hands, and he told them that the Department of Justice would disclose documents relative to their case against the Kingdom of Saudi Arabia. The next day, the Attorney General of the United States, William Barr, in a sworn declaration to the Southern District of New York Federal Court, invoked the state secrets privilege to prevent the release of the very information that the President of the United States had promised those families, the same documents, the same evidence that the President of the United States had vowed to disclose. The very next day, the Attorney General of the United States went into the Federal District Court in New York and said no.

The 9/11 families, whom I have come to know and admire, deserved so much better from the last administration. But it is not about one administration or another. It is about the United States providing them with the truth. It is about our government providing the people of the United States with the truth.

I will be coming back to the floor in the weeks ahead, and I hope my colleagues will join me in raising this issue, in calling on the Department of Justice and the FBI to review their decision invoking this privilege, to declassify and disclose information that they have withheld. They have yet to explain why the national interest is served by this blanket, unjustified, and unexplained invocation of the state secrets privilege. The 9/11 families and

the American public deserve that much and more. And this case is about accountability. It is about holding accountable the Kingdom of Saudi Arabia.

I am not here to argue the case in court. I am not here to take issue with any legitimate, urgent, narrowly-tailored interest that may be served by this Privilege, but there is no indication of any such interest and, in fact, neither the FBI nor the Department of Justice should stand in the way of justice for these families in court.

They owe the American people an explanation, and they owe the 9/11 families the truth so they can bring it to bear in their quest for justice.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The Senator from Oklahoma.

#### THE ECONOMY

Mr. LANKFORD. Madam President, there are a lot of issues we are working through right now in the Senate.

Obviously, infrastructure is in conversation, and what is going to happen with some spending dealing with National Guard, Capitol Police.

We are working a lot on issues, like Afghan translators—trying to get those folks who walked alongside our soldiers for 20 years and risked their lives out of harm's way before the Taliban slaughters them.

We are engaged in a lot of issues. There are a lot of things happening behind the scenes. I thought it might be helpful to be able to give a couple of things I think we need to consider.

One is what is happening in the State Department right now. State Department engagement on the issues of passports is a major issue. It is a frustration for a lot of Americans. And I would tell you, a lot of Oklahomans that we deal with on a day-to-day basis on our team are very frustrated with trying to get their passport renewed. They didn't travel last year, obviously, with COVID, but now they want to be able to do some traveling in places where they can.

Good luck with that, as we have found. Right now, the backlog at the State Department is about 18 weeks. Today is the 29th of July. That means if you turn in your application for your passport today, you may get your passport December 2. Merry Christmas. If you plan on traveling Thanksgiving, you need to pay the extra fee to do an expedited delivery though we are at the end of July right now.

The problem?

The State Department still hasn't brought all of their staff back. They are not engaging. The rest of the country is open and operating, and the State Department is still studying how they are going to come back in, and millions of Americans are just waiting for their passport.

I have spoken to leadership in the administration about this exact issue. In fact, I talked to some leadership who

literally said to me: Oh, I wasn't aware there was a problem.

Listen, there is a problem, and it is not just in the State Department. It is in multiple other agencies. As America opens back up, trying to be able to manage all the issues with COVID, they are very aware of masks and vaccines and spacing.

But companies have figured out how to do this. For some reason, multiple agencies have not and it is causing real problems. It is not just problems in our economy with permitting and other things, some of the policies that have been put in place are causing real problems across our economy for just individuals.

We have an unemployment rate right now in June at 5.9 percent. We don't know what it will be for July, but it is getting better and better all the time. In Oklahoma, we have one of the lowest unemployment rates in the country. We have a lot of people employed because we turned off the extra unemployment benefits at the end of June and people came back to work. That is a good thing for them, for their families, for their kids, and for our economy. As we continue to be able to re-engage, that is helpful.

But what we are seeing right now is inflation, consumer price increases like we have not seen in more than a decade. The Consumer Price Index increased by 5.4 percent. That is the most in 13 years.

We are watching the rapid rise in prices that Americans feel. It is a direct result of this \$2 trillion bill that was done in March, where it paid people not to work, sent checks to individuals, and did lots of other benefits.

Many people, even economists from the Obama administration, said: Don't do this. It will cause inflation.

What have we seen?

In just the last 5 months: milk prices up, bread prices up, bacon prices up, price of gasoline up, price of wood up, price of building materials up, price of rental cars up, prices of used cars up, shortages in different supply chains—things we all identified in February and March and said we need to be attentive to.

If you dump \$2 trillion into the economy, what does that do?

In the middle of this dialogue about inflation rising right now and everyone in America is seeing the rise in prices, there is a conversation about trillions of dollars more of spending—more of spending.

What effect do you think that will have? We have already seen the effect of what happened in March. What effect do you think it will have to add another, as is being forecast, \$3.5 trillion more spending?

Sometimes we can't wrap our head around the issues of millions and billions and trillions because it all seems like numbers. There is a big difference between millions and billions and trillions. The best way I can describe this is, if you have a million seconds rather

than a million dollars, a million seconds is about 11½ weeks. That is a lot. But a billion seconds is 31½ years. That is a big difference. Brace yourself because a billion seconds is 31½ years, but a trillion seconds is 31,688 years.

These are big numbers that are being thrown around and it is hard to wrap our head around how much spending is really going on, but the concept of throwing out \$3.5 trillion is mind-boggling.

Let me give you one more. A trillion miles—if I were to say: How far is a trillion miles? A trillion miles is if you left Washington, DC, today and flew to the planet Pluto 334 times. From DC to our furthest planet 334 times, that is 1 trillion miles.

This is a lot of money that is being thrown around and has real consequences, knowing the debt and the borrowing and the tax changes, but how much things actually cost.

I am continuing to challenge my colleagues when they discuss all these big numbers and say: Let's throw all this money out there; it will have no consequence.

I will tell you, the people in Oklahoma feel what is going on. They may not know, but they feel it in the prices every day, what is going on in supply chains, and they are very aware. And the No. 1 question that I get asked when I am out and about in places in Oklahoma is: Where is all this money coming from?

It is a fair question.

There is this back-channel conversation right now happening on immigration as well. Right now, the news is focused on 10 million other things, and I literally have people in my State saying: Things must be going better at the border now because I don't hear about it much anymore.

I will smile at them and I say: I happen to be on that committee and be very engaged in the issues of border management and border security. Things are not getting better; they are getting worse.

March was the highest number of illegal crossings in 20 years. It was beaten in April; it was beaten in May; it was beaten in June. Current trend, that will be beaten in July. Just last week—just in 1 week, last week, the Rio Grande crossing—just that one sector in 1 week had 20,000 interdictions—in 1 week. At one time, they had 15,000 people who they were detaining.

So what is happening with that?

I keep hearing from the administration that we are going to take on the root causes. The root causes is a simple way to say we will deal with this later. Because if you want to talk about root causes, it is a statement saying that, basically, the problems are in Central America; we can't stop it.

Well, that is a nice note, except for here is a list of the countries that have crossed our border illegally just this year. It is over 100—over 100 countries where individuals have illegally crossed the border.

So what about Brazil? What about Chile? What about Colombia? What about Guinea? What about Indonesia? What about Mauritania? Are we going to go after the root causes there? What about the Philippines, Indonesia, Romania, Ukraine, United Arab Emirates?

This is just a few of the people who have illegally crossed this year in big numbers.

Listen, this whole conversation about root causes is a distraction. We do need to be engaged in the Western Hemisphere. We do need to deal with our drug addiction in this country that causes the flow of drugs to be able to move through South America, Central America, Mexico into the United States. We do need to be aggressive in how we are handling cartels. But to somehow believe that if we poured enough money into the Northern Triangle that suddenly this would all end is false.

We are the greatest country in the world. The root cause of immigration into this country is the great power of the United States, both for freedom and for our economy. People from all over the world want to come here.

We have a million people a year who legally come to the United States—legally, a million—and folks who don't want to wait in line, who pay a cartel and move through Mexico to be able to get here literally from all over the world. If we do not enforce our borders, these numbers will continue to rise as they have every single month in this administration. Every month, the numbers get bigger.

We have got to get on top of this. I wish I could say the administration is taking it seriously. I wish I could say they have a plan. I wish I could say they have released out their studies that they said they were going to do. But they have not released out their studies. They have not released out their plans, and I continue to ask week, after week, after week.

The first hint that I got of what they planned to do came out in their budget. In their budget, they reduced funding for ICE, and they reduced the number of bed spaces for ICE. I was shocked. The numbers continue to skyrocket, and in their first release of what they plan to do on it, they asked for a 1,500-bed space reduction in ICE capacity for detention.

Now, honestly, when I got it, I thought: I can't believe they are putting this in print, but I already knew that it was going on. Why did I already know that it was going on? Because, as I have tracked the numbers all the time, I have watched the number of deportations and ICE detentions dramatically decrease. While some people are focused on the border, they lose track of the fact that not only is this administration not enforcing our southern border, they are not enforcing the interior of the country.

We have 6,000 ICE agents in the United States, 6,000 professional law

enforcement-career folks who are in the country, arresting individuals who are illegally present in the country, with the first priority being criminal illegal aliens. That is their first priority, the safety and security of the United States. Of the 6,000 agents in the United States, in May, they did 3,000 total arrests—3,000 among 6,000 agents in a month. That is a record low because the administration changed the rules for ICE agents on who they could interdict.

The first big rule change they made is that ICE agents cannot arrest someone who is not legally present unless they get permission from regional leadership by name to arrest that individual. This means, if they go into a place to arrest someone and they encounter one person they received permission to actually arrest but also find three other criminal aliens there, they cannot detain or arrest them. They have to leave them and request by name later to go back and get them. And guess what. They are not there. Shocking. And it is not all criminal aliens. There are only certain criminal aliens they are now allowed to actually detain. That is a big shift from every previous—every previous—administration.

Let me give an example that I actually gave to Secretary Mayorkas and asked specifically about some recent frustrating moments from our ICE agents.

Just a few days ago, ICE reached out on a previously deported alien by name. This person had been convicted of a sex assault of a minor under age 14. The alien was at large, and they asked permission to be able to go after this alien and to be able to do a street arrest. Remember, they had been deported before. They knew they were in the area. There were previous sex offender convictions. They were denied the ability to go after that person. They were told, no, they don't meet the standard.

Case No. 2. Another person who was previously deported had a previous conviction for indecency with a child, sexual contact. They were a registered sex offender. They believed they were in the area. They were asked if they could pursue an arrest. Regional leadership told them no, they could not.

Case No. 3—this just happened last week—is of a previously deported alien, twice. So this means they were for the third time in our country illegally. There were previous convictions for alien smuggling—that is, trafficking of people—theft, and illegal entry. They knew they were in the area. They asked if they could do the arrest. Regional leadership told them no.

I could go on and on.

ICE has a different set of rules now from what they had in the past. It is not just criminal aliens anymore; it is that they have to be really high criminal aliens. I could give you lists of people who have multiple DUI offenses, and ICE asked if they could detain them, and they were told no.

Listen, we have all said in this room that we should engage with criminal aliens and that criminal aliens should be deported. I don't know of a person in this room who hasn't said it. We stopped in May deporting criminal aliens. Are we going to do nothing about that?

If you don't believe me, call Secretary Mayorkas. He will send you a copy—that I have as well—of the interim guidance that was put out in May for ICE agents, limiting who they could deport and the process for deportation. I have asked him specifically: If someone goes to pick up a criminal alien and there are other aliens who are there, can they be picked up? The answer has been no.

We have a problem not just on our southern border but what is happening in our country and the issue of enforcement, and we would be wise if we would pay attention to this.

I am fully aware that there are many individuals in this body who do not like the southern border wall. That has been a topic of great debate in this room for several years. But is this body aware that in January of this year, when President Biden "paused" the border wall construction and said: I am going to spend 60 days studying it, that 60-day study is still not complete 200 days into the Presidency? He has still not completed the 60-day study.

On top of that, the pause of that construction, during that time period, we are still paying contractors to not do construction. So far this year, we have paid contractors \$2 billion—billion with a "b"—not to construct the wall. Now, you may think it is a waste to construct the wall. I do not. But please tell me you at least believe it is a waste to not construct a wall and still pay contractors—to not construct a wall.

We are currently paying contractors \$3 million a day to watch the materials that had been delivered by January 20 that were sitting on the ground—for steel, for fiber, for cameras, for lighting, for roads. We are paying \$3 million a day to have them watch the materials on the ground to make sure they are not stolen—\$3 million a day. That is a waste.

As people cross our border in record numbers, a new policy has been instituted on our southern border, called a notice to report. This, again, has never been done by any administration. A notice to report is when the line gets too long on the southern border, with people crossing the border, when they are trying to check everyone in—if the line gets too long, Border Patrol is instructed to grab the folks in the back of the line and give them a notice to report. That is a card telling them where ICE Agency offices are around the country, and they can just go ahead and go and turn themselves in at whatever ICE Agency they want to turn themselves in to anywhere in the country. So far, 50,000 people this year have been given one of those cards at



our southern border and told “turn yourself in wherever you go in the country”—50,000.

My shock, as I am trying to track the number, is that 13 percent have actually done it. I was surprised the number was that high. But that means 87 percent of the people who we have handed a card to and said “turn yourself in wherever you go in the country” have not. Eighty-seven percent—we have no idea where they are of the 50,000 people who were released into the country because the line was too long at that moment.

Listen, we can disagree about a lot of things on immigration, but handing people a card and saying to just travel anywhere you want to go in the country and turn yourself in when you get there—can we at least agree that is a bad idea? Can we at least agree that paying contractors \$2 billion not to construct the wall is a bad idea? Can we at least agree that criminal aliens who had been previously convicted and are being picked up for another charge should at least be deported in the process? Can we at least agree, if you want to deal with the “root causes” in the Northern Triangle in Central America, that it does not deter the people from over 100 countries who have crossed our southern border this year illegally? There is a bigger problem. Can we at least agree that we should address this?

We have a great deal of work to be done. I would encourage all of us to get the facts, to get the details of what is really happening, and to understand that when over a million people have illegally crossed the border just this year, that we know of, that is a problem. It is a problem that hasn't been there in the past anywhere close to this kind of number, and we should address it in this body.

I have written letters. I have made phone calls. I have done reports. We have done research. I have sat down with Secretary Mayorkas. I have held nominees for DHS. I have done everything I can do to bring this issue to the forefront. Although others seem to ignore it, this is an issue that we should not ignore. National security is not something we should be flippant about, and not everyone crossing that border is just coming for a job. We should engage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

REMEMBERING MIKE ENZI

Mr. KING. Madam President, I rise to speak of a friend and colleague whom we lost this week.

Mike Enzi, a Senator from Wyoming, retired from this body in January of this year when his successor was seated but served here honorably for several decades.

I think the simplest description I can give of him is that he was a kind, good, and decent man. I worked with him on the Budget Committee, but I got to know him best through the Wednesday

morning Prayer Breakfast, where to say he was a regular participant is an understatement. Even after he left the Senate, he was at every single Prayer Breakfast, including last week's, from his home in Wyoming via Webex.

He was a devoted family man and a devoted man in the service of his country in this body. He had a rare quality. Unfortunately, I don't think it was all that rare some years ago, but it seems to be becoming rarer and rarer. It is a quality my father preached to me years ago. You can disagree without being disagreeable. That was the way he was. He and I disagreed on a large number of matters, particularly on the Budget Committee, but he never was overbearing; he never was condescending; he never was harsh. It was always in the spirit of disagreement, in good faith, based upon principle.

I want to talk about Mike Enzi, but I also want to put him in the context of modern politics because I think there are a couple of lessons we can learn from him to try to change the course that we seem to have embarked upon.

One of the problems with modern American politics is, we don't have opponents; we have enemies. We have converted those we disagree with to people we demonize and say are bad people; they are evil. They aren't. They have different views. They have different values. Perhaps they have different principles. But to convert opponents into enemies is to poison our democratic system. It is to poison our ability to work together in the common good. If you make someone into an enemy, they are going to be an enemy even when it comes to something where you might agree, and Mike Enzi never did that.

One of the things Mike Enzi taught me was the 80-20 rule. We have all heard of 80-20 rules in various contexts. His 80-20 rule was, if you are working on a difficult public issue, work on the 80 percent where you can agree, and put the 20 percent where you disagree aside. He was able to do that throughout his career.

He was famous before I got here, but he was famous for working with Senator Ted Kennedy of Massachusetts when they were both on the HELP Committee.

I said: Mike, how did you get along with Ted Kennedy?

He said: It was easy—80-20. We put the 20 percent aside where we knew we were going to differ, and we worked on the 80 percent where we could, and if everybody applied that principle around here, we would get a lot more done.

He was also a principled Senator. Indeed, he would have been on the floor today, making a point of order about the supplemental budget that we just passed because he believed in the principle of the Budget Act; he believed in the principle of balancing budgets. He was an accountant, and he was a principled man.

And he was also decent and kind, as I mentioned, but there is one story

about him that I want to tell that has stuck with me, and I have told it 100 times, although I never told it while he was with us. Now that he is lost to us, I think he would be OK with my telling this story.

I was having dinner with him one night early on when I was here in the Senate, and he mentioned that he was concerned about the possibility of having a primary opponent in the Republican primary in Wyoming, and I was incredulous.

I said: Mike, you are one of most conservative Senators here. How can somebody possibly get to your right? And here was my precise question:

What will they charge you with?

And his answer was as profound as it was disturbing. He said:

They will charge me with being reasonable.

Think about that for a minute. He was concerned about the possibility of losing a primary election because he had been reasonable; because he applied the 80-20 rule and tried to work together to solve problems, even though there were disagreements on other areas. But he could lose—he could have lost his election because he was willing to listen to the other side, to be reasonable, to try to find accommodation, and, yes, compromise.

And this isn't only a Republican issue; this is a growing issue across our country in primaries, particularly in gerrymandered districts where the primary is the election.

And we are getting a new crop of Representatives and Senators who are coming here who have been told: Don't you dare compromise. Don't you dare listen to those other people. You better watch whom you are having lunch with.

I remember spending some time with our immortal Senator Margaret Chase Smith from Maine, whom I got to know fairly well before we lost her in the midnineties. And she said, during the McCarthy period, you literally had to worry about whom you had lunch with in the Senate dining room. Because of guilt by association, you would be associated with some liberal Senator.

We don't want that to be the case. It shouldn't be the case. But if you can lose a primary because you are viewed as someone who is willing to compromise, whether you are getting that primary from the left or from the right, imagine what it does to our ability to get things done.

If people come here knowing that one of the ways they can jeopardize their career is by listening to the other side, trying to get to know what is going on on the other side and compromising to get something done, it is paralysis. It is one of the reasons we are in paralysis.

Mike Enzi said:

They are going to charge me with being reasonable.

I think this is one of the hidden problems in American politics today. It is not what your position is on abortion



or gun rights or foreign policy or any other—immigration—it is whether you are willing to talk to the other side, listen, and try to get to a compromise to solve a problem. That can cost you your seat. What a pernicious doctrine. What a dangerous situation.

Democracy is built upon compromise. We have 535 people in this building. We are going to have 535 different viewpoints, interests. We represent different States, different areas. We have different principles. We have different values. We have got to compromise, otherwise it is just perennial gridlock, which, by the way, our constituents hate.

When I talk to people in Maine, what they most—the biggest question I get is, Why can't you people work together? Why can't you get anything done? Why can't you talk to one another and sit down and break bread together and solve problems?

This idea of not being able to compromise—this body is a product of compromise. At the Constitutional Convention in 1787, the debate almost fell apart on the issue of representation.

There was the large State plan and the small State plan, and the worry was, if it was only one body of the legislature, that the big States with more population would overrun the smaller States. They couldn't figure out what to do, and finally one of the delegates from Connecticut proposed what was called the Great Compromise, which was the invention of the U.S. Senate.

This body itself is built on compromise. But there is no human problem that can be solved without compromise. Nobody has it all right. Nobody has all the answers. No party has all the answers. No group of people have all the answers. You always are better off listening to other people, debating, and coming to some consensus solution.

I have a friend in Maine who has a big sign in his office that says: "All of us are always smarter than any of us." And I think that is a profound observation. It means that there is wisdom throughout this room and throughout this body and that we have to tackle these difficult problems—difficult, challenging problems that we have using all the wisdom that we could possibly get our hands on, and that means listening to other people even though we may not agree with them.

I just sat and listened to the Senator from Oklahoma make an impassioned and, I think, powerful statement about immigration. He raised questions in my mind that I want answers to. That is the way this place is supposed to work.

But if I can't go back to Maine—if I can't go back and admit I listened to the Senator today and he raised questions that bothered me, if I can't say that, if that in itself would endanger my career, then if people are coming here fearing that kind of being locked out, we will never get anything done.

So, to me, Mike Enzi was a hero and a model—and a model of the kind of

person that we need in this body. I didn't agree with him on a lot of issues, but he was always willing to listen.

And I did agree with him. There was some measurable percentage—I don't know, 10, 20, 30 percent—where we did agree, and he was a very effective ally because he was so respected here because people knew that he made his own decisions.

And we need more people like him, and we need to remember the principle that he shared with us, which is be reasonable.

When we are in a place where being reasonable is an offense that can cost you your job, we are in real trouble as a country. We are in real trouble as a democracy.

It is hard enough in a democracy to make decisions and to get things done. That is inherent in our system. The Framers wanted to design a system that was difficult and cumbersome to operate, and they succeeded beyond their wildest dreams.

But it was always based upon a principle of listening, of debating, of changing minds, and, yes, of compromising.

So I want to pay tribute to Mike Enzi today not only because, as I said, he was a kind, good, and decent man, but because I think he was an example of the kind of people that we need here and the way we should conduct ourselves and the way we should do our work.

And we also have to talk to our constituents and say to them: You have to let me listen to the other side. You have to give me a little space to try to do something good. It may not be perfect. It may not be just what you like. But it may be what we need. It may be the best we can do in a pluralistic, democratic system, where people have different outlooks, viewpoints, values, and priorities.

So we lost a great man this week. We lost a great person. We lost a great Senator. We lost a great friend. We will miss him.

I miss not only Mike and that great smile, but I miss what he stood for, the way he conducted himself, the way he treated his fellow Senators and everyone that he encountered.

Mike Enzi was a great man. I hope we can live up to his example.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Texas.

#### CRIME

Mr. CORNYN. Madam President, let me state the obvious: There is a big and growing problem in our country, and the American people are becoming more and more alarmed.

A recent poll found that 60 percent of Americans are worried about crime. The percentage of those who say they are extremely concerned is at the highest point in more than two decades.

And it is easy to see why. Even our former colleague from California, Senator Barbara Boxer, was recently assaulted and robbed in California. But

cities across our country have experienced an alarming spike in violent crime and murder rates.

New York City has seen nearly double the number of shootings from 2019 to 2020. Nationwide, homicides are up 25 percent during that same period. That is the largest single-year increase since 1960.

Not only are the American people noticing these increases with growing alarm, they are eager to see solutions that help make things better by improving public safety.

A recent poll found that 90 percent of Detroit residents said they would feel safer with more cops on the street, not fewer. That seems intuitive. It seems obvious but apparently not to everybody because this is the antithesis of the rhetoric we have heard over the past year, as many on the left have called to defund the police and reduce the role that law enforcement officers play in our lives.

A number of major cities took the recommendation of these activists and eliminated funding for their police departments.

New York City, Oakland, Baltimore, are among the many cities to cut police funding. Today, they are among those increasing police budgets to address rising crime rates that I think are directly related to the "defund the police" effort.

It is important to note that not all the leaders of our major cities are on board with this trend. Last summer, when I was in Dallas visiting my friend, Mayor Eric Johnson, it was on its way to recording the highest number of murders in 16 years. The city council cut the police department's overtime budget by \$7 million. Mayor Johnson pushed back against these irresponsible cuts at the time when crime and domestic violence were already on the rise, and now he is pushing the city to hire 275 new police officers and increase officers' salaries.

The truth of the matter is, Texans, like other folks across the country, are concerned about the increasing crime in their communities. Leaders should want to focus on the needs of their constituents, but a small but loud group of liberal activists who want to reimagine law enforcement—whatever that means—apparently have prevailed on those who would like to see our communities safer.

Well, we are starting to see a response, really a boomerang, from these "defund the police" efforts. For example, take a look at the new Democratic nominee for mayor of New York City. At this point last year, protesters marched in the streets of New York chanting "defund the police." One year later, the presumed winner is a former NYPD captain who ran on a tough-on-crime platform.

As it turns out, practical solutions to real problems carry more weight than ideological warfare.

Here in the Senate, we are in the process of finding solutions to deliver

tangible results. Our friend, Senator TIM SCOTT, is leading negotiations with our Democratic colleagues. And I know I am not alone in hoping we can take bipartisan action to restore trust and accountability in our police while at the same time having their back. But we have to remember that this crime surge is tied to far more than police departments.

Make no mistake, law enforcement plays a key role in stopping crime, but there is a lot more that can and should be done to prevent crime from happening in the first place. One factor we can't ignore is the crisis on our southern border. Despite the fact that we reached migration levels not seen in the previous two decades, the Biden administration has simply failed to provide law enforcement with the resources they need in order to secure our borders.

Border Patrol agents, who should be on the front lines of this crisis, are caring for children instead of stopping criminals and illegal drugs from coming across our border. They are changing diapers and supervising playtime.

Meanwhile, the drug cartels, that are very sophisticated, understand that when you take 40 percent of the Border Patrol off the border and have them processing unaccompanied children, that that is a prime opportunity to smuggle illicit drugs into the United States, which, unfortunately, contributed to the deaths of 93,000 Americans last year alone just in drug overdoses.

So when our Border Patrol is not adequately funded and resourced, or because of bad policy decisions diverted from their primary tasks, we don't know who is crossing the border and we are creating more risk for our communities across the country. The lack of personnel creates huge gaps; and make no mistake, the criminals and cartels know how to exploit those gaps.

In 2019, a 33-year-old Honduran national was arrested in North Carolina on rape and child sex offense charges. This man had been previously deported, but he illegally reentered the United States. After his arrest, the county jail refused to honor the detainer from ICE—Immigration and Customs Enforcement—and so the man was released. It took 2 months before ICE was finally able to arrest him.

But this type of story is not unique. We all remember the tragic murder of Kate Steinle in 2015. She and her father were walking along a pier in San Francisco when she was shot and killed. The man who killed her was an illegal immigrant who had been deported not once, not twice, but five times, and he had seven felony convictions.

Now, I want to be clear about one point. The actions of these criminals do not and should not reflect on the tens of millions of law-abiding immigrants, period. Any attempt to frame immigrants in general as a threat to our country is completely devoid of facts and detached from reality. But my point in sharing these stories is to

show that there are devastating and dangerous consequences to an unfettered flow of people and drugs and other contraband across the southern border. We need to know exactly who and what is crossing our border, and this applies both to people and contraband.

Cartels and criminal organizations are paying very close attention to the state of our border security. They see when gaps are created by fewer officers on the front lines, and they are simply exploiting those gaps.

Fentanyl, heroin, cocaine, methamphetamine, and marijuana are pouring across our border at a growing rate. As I mentioned, there are consequences, with 93,000 Americans dying of drug overdoses last year alone. That is up 30 percent over the previous year.

And the experts tell us there is an association between substance abuse and crime. There are crimes involving the drug users themselves, both who steal to buy drugs as well as those who are under the influence of drugs when they commit their crimes. And we can't ignore the dangers drug dealers and traffickers create for our communities.

Last week, the police chief of the District of Columbia held a press conference to discuss crime increases in this city. He talked about the dangers of marijuana use, saying, "I can tell you that marijuana is undoubtedly connected to violent crimes that we are seeing in our communities."

He went on to say this creates a very dangerous "situation, because those individuals get robbed, those individuals get shot, those individuals get involved in disputes all across our city."

Those are his words, those are not mine.

But those dangers apply to any type of drug being moved and distributed by illegal channels, whether it is marijuana, heroin, cocaine, fentanyl, or anything else. We have a fundamental responsibility to stop criminals, stop the cartels, stop gang members, stop the drug dealers, and the host of unknown dangers from quietly slipping across our border and infiltrating our communities.

The Biden-Harris administration needs to take these responsibilities seriously. The Biden-Harris administration needs to take their responsibilities for public safety seriously. The only thing worse than the increase in crime and the growing concern among the public is the prospect of things actually getting worse.

If we are not stopping dangerous people and drugs at the border, or handicapping local police departments by defunding them, what do we expect to happen? Do we think there will actually be a positive outcome?

That is detached from reality, of course. The American people are overwhelmingly concerned about the increasing crime in America, and they deserve to have a government that prioritizes the safety of them and their families.

Concerns about crime are shared by both Republicans and Democrats. My friend, the mayor of Dallas, Eric Johnson, who I mentioned a moment ago, had to fight with his own city council to get the police adequately funded. He is a proud Texas Democrat. So these are not partisan matters.

This is not the time to pull critical funding from our police or villainize officers or paint such a broad brush that the actions of one taint the reputation and our support for the rest of law-abiding and patriotic law enforcement officers.

This is not the time to relax our enforcement at the border or create even more opportunities for crime, cartels, and gangs to exploit our laws.

So crime in America is a very real problem, and the Biden administration needs to wake up and address this full range of contributing factors before the situation becomes even more dangerous in all of our communities across the States.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WARNOCK. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Georgia.

#### MEDICAID SAVES LIVES ACT

Mr. WARNOCK. Madam President, I believe healthcare is a human right. And with all the incentives on the table for Georgia to expand Medicaid, it is past time to do so. My home State of Georgia, where State leaders have refused to expand Medicaid, has the opportunity to provide affordable healthcare to 646,000 people who could qualify.

I refuse to allow Georgians to suffer and be cut off from care while politicians play games. This is why I introduced recently the Medicaid Saves Lives Act. This is legislation that would allow people in States like mine, that haven't expanded Medicaid, an alternative path to health coverage; because for far too many, access to affordable, reliable healthcare is the difference between life and death.

I agree with Martin Luther King, Jr., who said that, "of all the injustices, inequality in health care is the most shocking and the most inhumane." So I am grateful that this plan, the Medicaid Saves Lives Act, which I introduced the other day, is positioned to be included in the forthcoming economic package.

That is why I rise again on the Senate floor to tell the story of another Georgian, a story that gets to the heart of why this bill is important.

This is Amy Bielawski. Amy is the owner of a small business, Hare-Brained Productions. It is an event planning and entertainment company in Tucker, GA. As you can imagine,

Amy's company took a significant hit during the pandemic.

Unable to book regular gigs and plan events—events that all of us miss as we have been clawing our way back from this pandemic—Amy qualified for unemployment benefits this past year. And with that critical support, Amy had temporary access to affordable marketplace plans created by the Affordable Care Act.

But with the end of Georgia's unemployment benefits looming and the entertainment sector still suffering from the effects of the pandemic, her access to coverage—the coverage she so desperately needs—is on the brink again.

At the same time, she will have to manage her thyroid disease, high blood pressure, pituitary gland tumor, fibroids, and all the other health hiccups that come along with aging.

If Georgia was to expand Medicaid or if there was a Federal Medicaid Program for nonexpansion States like Georgia, Amy would no longer have to worry about getting reliable health coverage for her chronic conditions. This is the human face of the public policy we make or the public policy we fail to make.

As our State's healthcare options stand now, Amy says she “doesn't think they care about people like me falling through the cracks.” Even more disappointing, when asked what Medicaid expansion would mean for her, Amy was reluctant to even picture that future. She said: Well, it is really difficult to say “because I've never had consistent healthcare—it is hard to imagine.”

Think about that. It is hard for somebody who works every day with a kind of entrepreneurial thrust and serious work ethic, grit, and determination, in the richest country on the planet. She says it is hard for her to imagine having consistent healthcare. She says she is “used to being shoved aside and doing without.” With all of Amy's health issues, doing without, as she puts it, can only work for so long.

We are costing Georgia more and more every day by not providing access to healthcare to the people who need it most. Like Amy's story speaks to, without affordable and comprehensive coverage, preventive care and annual appointments are skipped. Conditions that could perhaps be treated or seen at their early stage and prevented, worsen, and Georgians end up using emergency rooms instead of addressing these health issues in primary care appointments months prior.

This past year, Amy herself had to go to ER because of chest pains, and with a history of high blood pressure, she couldn't ignore the sharp pain in her chest that wasn't going anywhere. So she made her way to the ER. After all, what if it was a heart attack?

A short stay later, after spending less than an hour in a hospital room, she went home with a \$3,000 bill. That is bad policy for her. It is certainly bad policy for every Georgian. What kind of

costs would be avoided, for the hospital and for Amy herself, if she had access to a primary care provider through Medicaid, and more regular, affordable, consistent access to care?

In other States, Amy would be eligible for Medicaid. And, according to Amy, access to reliable, quality, affordable healthcare through Medicaid would be nothing short, she says, of “MIRACULOUS.”

Amy is one Georgian who represents the stories of hundreds of thousands in our State and across the country who need the Medicaid Saves Lives Act. And until we get this done—because I believe that healthcare is a human right—I am going to keep lifting up Amy's story and the stories of other Georgians who would benefit from this lifesaving legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

OLYMPICS

Mr. WICKER. Madam President, I am told that the distinguished Senator from Georgia may have some followup unanimous consent. OK. If not, I am happy to proceed.

I rise today pointing out an injustice done by the authorities running the Tokyo Olympics. This morning, Americans learned the news that Sam Kendricks, an American double world champion pole vaulter from Oxford, MS, has been shut out from competing at the Tokyo Olympics after a positive COVID-19 test today—almost certainly a false positive COVID-19 test. This is an injustice that can still be rectified if the Olympic Committee will be fair.

For those of you who don't know Sam, he is an alum of the University of Mississippi, Ole Miss, where he took back-to-back NCAA championships before launching his professional career. He won the U.S. Olympic trials in 2016 and went on to the Rio Olympics, where he took home the bronze medal.

Then again, you probably do remember Sam Kendricks. He is the pole vaulter who stopped mid-run in the 2016 Olympics to stand and salute for his national anthem. That is Sam Kendricks, Olympic champion from the State of Mississippi. He has made his school, his State, and his Nation very proud, and by all accounts he was expected to be a contender for the gold medal this year.

But after testing negative for the COVID virus three times, Sam received a positive test result earlier today. The timeframe is different in Tokyo, but it was on Thursday. And under International Olympic Committee rules, he was immediately disqualified from competition, even though he had previously tested negative three times and even though he has already had the coronavirus. And even after a followup test, administered according to U.S. Olympic standards, came up negative, the rules are that you have to wait 6 days.

Well, guess what, his competition is Friday, and adherence to high-bound

rules like that will bar him from the Olympics. There is no consideration for the fact that his test—one of thousands of tests administered daily—may very well have been a fluke.

As Sam told the world, he is not sick, he is not displaying symptoms, and he has already had COVID-19 and should be immune. And, again, he tested, according to U.S.A. track-and-field team tests, immediately after getting this false positive.

Obviously, the fair thing for the Olympic Committee to do would be to follow up immediately on another test to verify whether all these negatives were correct and, undoubtedly, they were. But the powers that be won't allow Sam Kendricks to get an official followup. No, according to protocols, he must wait 6 days. Then he can have a followup test, which no doubt would show that he doesn't have the coronavirus.

What is magic about 6 days? What about the young athlete? What about fundamental fairness? As Sam Kendricks' father said: These athletes traveled too far, worked for too many years, made too many sacrifices not to confirm a positive test—a very inexpensive thing to do.

I agree with Mr. Kendricks. These athletes should be given a confirming test—one test to minimize the chances of a false positive. But that is not the way the Olympic authorities in Japan see it.

My question is this: What is the health risk of a followup test? How could it possibly hurt anyone or anything to make sure you have got it right when you tell a young American that he can't compete for his Nation in the Olympics?

So I say I am not just disappointed, I am outraged, outraged that a young athlete is unfairly missing out on his chance to show his talent to the world and win a gold medal on behalf of his country, and aghast that a proud global tradition like the Olympics, a celebration of sport, competition, and international cooperation, has been reduced to testing protocols and rigid rules that are fundamentally unfair—inflexible rules that assume there is no such thing as a false positive.

I send my best wishes and congratulations to Sam Kendricks and his family for the good grace they have displayed in the face of this unfair and pointless disqualification.

And allow me to state emphatically that I am not willing to be so gracious.

If this action stands—and I hope it will not stand—this high-bound decision by the decisionmakers at Tokyo should make them ashamed of themselves. It is not too late, even today. It is Friday morning in Tokyo. Even today, the Olympic committee can use common sense and fairness. It is Friday morning in Tokyo. When the Sun comes up, give Sam Kendricks a confirming test and allow this young man to represent his country.

I yield the floor.

The PRESIDING OFFICER (Mr. WARNOCK). The Senator from Utah.

CORONAVIRUS

Mr. LEE. Mr. President, the word “republic” means public thing in Latin.

We bring our different perspectives and our different identities together respectfully to make decisions for an entire Nation. The United States is a nation with diverse, varied beliefs, different cultural origins, and different politics from the different regions and different States that we represent. It has been this way from the very beginning.

As much as some of us imagine otherwise, from the very outset of our Republic, there were immense, regional differences. Depending on which State someone represented, they might have different views.

Now, our Republic—and, for that matter, any republic ever in the history of republics—has relied on the willingness of the citizenry to be kind, for individuals who play a role in that Republic to be kind and respectful and decent to each other, even when—especially when—we disagree with each other. Our Founders knew that, and they enshrined it into our Constitution.

As much as anything, they assumed it, and it was on that set of assumptions that the norms enshrined in the Constitution became possible, because without them they would not be. Without them none of this would work.

You see, the only way a republic can possibly function now or 250 years ago or 250 years from now is that it always has to follow a somewhat similar formula. The only way it can function is when citizens and leaders are gracious to those with whom they disagree and grant the freedom necessary to allow others to make choices, even if those choices might be things that they disagree with.

We have witnessed the degradation of American political discourse for some time now. It has been a sad, tragic reality unfolding, but it is not an inexorable conclusion. It is not one from which we cannot depart. But we must make a choice to do better and to choose a better path.

We received a bulletin earlier today—a bulletin from the Capitol Police—indicating that all visitors and all House staffers and, in fact, all House Members are required to wear masks indoors or be denied entry or forced to leave the premises. And at least in the case of staff and visitors, if they fail to comply, they will be arrested—arrested for unlawful entry. Conviction for a violation of this rule will, according to the bulletin, be punished by a fine of not more than \$1,000, imprisonment for not more than 6 months, or both. The Senate, which happens to be housed in the same building as the House, is not subject to these same requirements.

But is this decision based on science or is it based on the will and whim of the Speaker of the House of Represent-

atives? Whatever the reason, the arrest of peaceful House staffers shows the total loss of political grace in the House of Representatives.

I cannot fathom a legitimate reason to arrest a person in this building for not wearing a mask. I cannot fathom a legitimate reason for arresting anyone based on a failure to wear a mask.

Members are not treated as the legitimate representatives of their constituents, as in fact they are, under our system of government, when they are subjected to this kind of manipulation and when they are subjected to this type of oppressive order. Staff, under this type of oppressive directive, aren't treated as hard-working, dedicated Americans, which truly they are. Instead, everyone who doesn't comply is deemed the enemy of the current House of Representatives. There is no room for disagreement or dissent.

It is tragic, indeed, to see a key deliberative body where dissent and debate are supposed to be tolerated and appreciated and decided and have been not just for decades but for centuries—to see that turned into a place where disagreement and dissent are disdained and punished by arrests.

Congress works on collegiality and respect. We need to get back to those basics.

Regardless of what you might think about the coronavirus, about the vaccine, about masks, there is never a good reason to arrest someone for not wearing a mask.

This decision falls into the larger context of the Centers for Disease Control's recent flip-flop on masks and the Biden administration's worrying push toward masks and vaccination mandates.

The CDC issued updated recommendations earlier this week, stating at its outset that masks should be worn indoors in areas of “substantial or high transmission,” even by individuals who have been fully vaccinated.

Now, this new guidance claims that “[e]merging evidence suggests that fully vaccinated persons who do become infected with the Delta variant are at risk for transmitting it to others.” But one glaring thing is missing from that conclusion: evidence backing up the CDC's claims.

In fact, the CDC didn't publish any new research on the effectiveness of the COVID vaccines against the newer variants when it issued its latest edict. The CDC's website simply cites “unpublished data” from its own COVID-19 Response Team when it makes this new, rather significant, rather jarring, rather impactful, and rather unwise claim.

The CDC is undermining its own credibility and, thus, I believe placing public health and safety at risk by going back and forth on recommendations and failing to be upfront about whether there is any actual reliable scientific evidence to support or compel those recommendations.

In fact, even when asked questions by Members of Congress, the CDC is fail-

ing to respond. This is not hyperbole; this is not conjecture; this is based on my own personal experience. I will point to the fact that on April 24, more than 3 months ago, I sent a letter to the Centers for Disease Control asking a very simple question, a simple question that I would hope anyone here would want to be asked. I wanted to know why is it, when there are so many of our peer nations around the world that don't require masks to be worn on airplanes, for example, by children as young as 2, as we do in the United States—you know, many of our peer nations, a mask requirement may not kick in until 10 or 11 years old or, in some cases, 5 or 6 years old. But, here, the CDC has said that it has got to kick in at 2 years old. I would ask the question: Did any of these people who made this recommendation, who made that conclusion that 2-year-olds should have to travel with a mask, have they ever known an actual 2-year-old? Have they ever raised a child? Have they ever traveled on an airplane? Have they ever traveled in a car, in a bus, on a train, in the rain, anywhere with an actual child? This doesn't work.

Now, when you add that to the fact that children react to the virus differently than adults do—and that is putting it mildly—when you add that to the fact that this creates other problems for children, not just for those handling them but for the kids themselves, it makes it especially important to know why.

Now, my letter wasn't attempting to make any case. My letter was simply trying to obtain information. You see, because when the CDC makes these sweeping recommendations, and sometimes they like to make them feel easier by calling them recommendations, when, in fact, they precipitate a whole host of things that feel a whole lot more binding than recommendations. You see, because if you get on an airplane or a bus or a train or you go to a bus depot or a train station or an airport, and you have got a 2-year-old who won't wear a mask, as any red-blooded American 2-year-old will not do, you are told that you are subject to arrest and that you are violating Federal law if you do that. So it is not unreasonable to ask that they pony up with information. If they are going to make recommendations, they should explain to us what those recommendations are.

So I asked them what scientific proof is there that a 2-year-old needs to wear a mask?

Well, I sent that on April 24. I didn't hear anything on April 25 or April 26 or the 27th or the 28th, 29th, or 30th, or any of the days of the months of May or June or July, and we are almost to the end of the month of July. They didn't respond to this. I don't know why. Maybe they are really busy doing other stuff. Maybe they are really busy figuring out where they are going to flip-flop next and where they are going to issue their next edict that the American people are expected to follow, all

in the name of it being science, that we have to defer to blindly, without any evidence. But this isn't acceptable, and it doesn't inspire confidence, nor does it inspire confidence for an Agency that makes these sorts of recommendations that have a really significant impact to flip-flop and not justify its own analysis, not provide even a scintilla of scientific proof for what it did.

So let's get back to its more recent flip-flop. The fact that it has flip-flopped this week, coupled with the fact that it hasn't backed up its other claims over the last few months, is understandably troubling to many of us, especially so, when you consider the fact that in my personal experience, I have been vaccinated. I chose to get the vaccine. I respect those who have chosen not to.

Many of those I have known who have been reluctant to get the vaccine, who eventually got the vaccine, most of them, I would say, ended up getting it when they realized that certain aspects of life could be made more predictable and more convenient if they did get the vaccine.

Many people, when they walked into a hotel lobby or a restaurant or a grocery store or at Costco or at Sam's Club, if they would see signs saying that vaccinated persons need not wear masks, they would realize there is some benefit there; that if they got the vaccine, they could walk in there and say, well, I don't have to wear the mask.

Now, obviously, we don't ever want to get to the point where somebody has to wear an arm band to prove whether they have been vaccinated or not. In fact, it would be an absolutely horrifying experiment that we should not attempt. But the fact is, that when people see that there might be some benefit, they are more likely to do it. If they see that something different will happen in their life if they get the vaccine, they are more likely to get it.

But when you are constantly moving the goalpost, you are saying: "Here are the benefits of the vaccine. Oh, psych, just kidding. We are moving along. We are going to take those away," people are not going to get it. So if you want more people to get vaccinated, you darn well better have the CDC getting its act together, providing scientific evidence for what the CDC is recommending and what it is not.

So, look, I am still waiting for answers from the CDC on my April 24 letter. And I am still waiting for answers from the CDC when it comes to scientific evidence supporting their most recent flip-flop. But while we wait for those answers, and that clock is ticking—I don't know whether we need to start humming the tune to "Jeopardy," but they do need to provide those answers. And while we wait for those answers, here are a few principles that I think might help guide some of our discussions:

Our government needs to trust Americans to make these decisions, some of

the most personal decisions that a human being can make for themselves. We need to trust the people's representatives in Congress to make decisions regarding the law. We need to be able to trust each other, to be decent, and to be kind when we disagree.

We have to learn from our own history, from our own nature as individuals, and from the history that we have experienced as a nation. We cannot stand by while those in power simply decide on their own whim that they are going to arrest political opponents for disagreeing.

At what point did we decide that it was OK to cross that threshold? I get it. We always need to be able to disagree without being disagreeable. Sometimes that is really hard. Sometimes all of us fall a little short of that mark. But I think all of us should be able to agree that we shouldn't arrest those who disagree with us merely because they disagree with us. That is wrong. We are better than that.

This time calls for more political understanding and hardy, legitimate debate, not blind mandates and manipulation.

We have to remember that, at its heart, at its core, government is not deity. It is neither omniscient nor omnipotent. Government doesn't have eyes to see you. It doesn't have arms with which to embrace you. It doesn't have a heart with which to love you. Government is force. It is the official use of coercive force.

Now, we need that. We need that to protect safety, to make sure that we don't hurt each other; that we are not harmed by others; that we don't take each other's possessions. But we have to be very careful how we operate it because otherwise force is just force. And if we start arresting everyone with whom we disagree, we are not going to be able to do the things we need to do, which is to make sure that government is there to prevent people from hurting each other and taking each other's things.

We need to be kind to our neighbors, even when—especially when—we disagree. We need to be helpful and caring to those around us, even if they vote, feel, believe, or even act very differently than we do. We must not allow for arrests and mandates to Members of Congress and their staffs without providing sufficient evidence.

And, yes, all of this stuff goes both ways. We all need to be respectful of each other's opinions. But, look, we are not talking here about activity that, by its very nature, is so harmful that it warrants the use of blunt political force in the form of an arrest.

I cannot fathom a circumstance in which it is ever appropriate to arrest another human being for not wearing a mask, COVID or no COVID. That is not arrest material.

In Congress and across the country, what we need now is a return to American graciousness. Our way of life and our precious Republic are at stake.

Thank you.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Mr. President, I am pleased to come and join my colleagues on the floor today and have a discussion about what is taking place here in this Capitol Building.

Now, my colleague from Utah just mentioned something that I think is so important: being able to disagree agreeably, having a difference of opinion, and showing respect to other people.

This Nation has remained strong and vibrant and free because we believe in robust, respectful, bipartisan debate. We do not lock up or silence or push or disappear people who disagree with us and our beliefs—and what we see happening in the House, where the Capitol Police would have the ability to haul staffers and visitors to jail for their decision not to wear a mask.

Now, think about that. It would be not wearing a mask—a choice, making a choice to not wear a mask. So it is important for us to realize this is a difference of opinion.

We have told the American people: Get vaccinated. I have chosen to be vaccinated. So have most of my family. Get the vaccine. That is kind of like your ticket to freedom from wearing a mask, if you choose. You don't have to put that mask on if you get vaccinated.

But now what are we hearing? Masks are coming back. The science is very divided on the value of a mask. Is it just to protect you? Is it to protect others? Do masks serve as a disincentive for people to actually get the vaccine? Which is what we have encouraged people to do: Talk to your physician, make certain the vaccine is right for you, and get the vaccine so you don't have to wear the mask.

Now, one of the things that we know is this: COVID is here to stay. We are going to continue to have COVID-19 in our presence. We know that, but we also know that this that is happening today is not necessarily about masks. This is about continuing to perpetrate these lockdowns; that we have had a series of lockdowns and scares and things where we are pulling back on freedom and giving power to the government and lessening the ability for individual choices. That is what this is about.

There is no deliberation that appears to have gone into this newest mandate from the Speaker of the House, but you don't need deliberation when you have decided that you can just resort to threats such as this: locking up staffers and visitors if they do not wear a mask on the House side.

Just over the past few days, we have seen high-profile Democrats buying right into this new tactic. Here is some of what we have been hearing. And, you know, as a mom and a grandmother, I hear a lot from moms and grandmothers. And my text threads and email and phone calls—Mr. President, you just wouldn't even believe it. They feel like

our colleagues across the aisle are just forgetting that science—science—has weighed in on this issue.

And now they are hearing these threats, threatening to keep our children out of school, not letting them go back to school in September. We don't need to go to school. Teachers unions, not sure they want to go back to school in September. But, oh, by the way, if you do go back to school, they might want to put your children in masks.

Children, little kids in school, we have heard it from pediatricians, we have all read the articles—there are truly some adverse side effects to little children being told to wear a mask every day. There are physical, there are emotional, there are psychological adverse effects to these children—not mentioning some I have heard from pediatricians about the danger of children not knowing how to wear the mask. And they touch the mask, and then they put a dirty mask back up over their nose and their mouth and the concerns that that brings.

What we are hearing about our children in school is of tremendous concern to the moms who are out there. We are hearing they are threatening families and small businesses with yet another lockdown to come.

I have a lot of friends who are in the retail industry. And right now, you know what they are doing? They are beginning to get in merchandise for the fourth quarter. They have used their lines of credit to make certain there is merchandise in their stores.

These are mom-and-pop stores. These are small businesses. They are on Main Street in every small town in this country, just like they are in Tennessee. And the decisions that are being made here make them very nervous and very uncomfortable because they are thinking: All right. What if we go into a lockdown? What if people can't get into my store? And here I have finally made it through COVID and I am looking forward to a good fourth quarter, and now we are getting this kind of information out of Washington, DC.

All of this is not rational. There is no evidence—none—to suggest that yet another about-face on masking is going to keep people healthier, is going to make them healthier. There is no evidence for that.

So let's call it what it is. This is left-wing hysteria. This is hysteria. Frighten people. Make them think a lockdown is coming. Make them think things are worse than what they are.

No. This is the United States of America. We do not lock up people we disagree with. We don't push forward with this type of activity. We don't silence our opponents. We believe in free speech. We believe in individuals being able to make their choices.

And I think that it is fair to say what the Speaker of the House has done is not trusting the science that brought us this vaccine. And thank goodness President Donald Trump brought about

Operation Warp Speed and issued a challenge to our Federal Agencies, issued a challenge to our pharmaceutical companies, and said: Let's see if we can find a way to defeat this virus.

There is a vaccine there. I think what you see happening with the Democrats and with the Speaker of the House is what we in Tennessee call having a good old-fashioned come-apart because they are not getting their way.

And the American people do not believe that they are getting serious about doing serious business that the American people want to see: addressing out-of-control spending, addressing the needs of this country.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, in 1887, Lord Acton wrote a series of letters to Bishop Creighton, letters that would echo down across the centuries. Lord Acton wrote:

I cannot accept your canon that we are to judge Pope and King unlike other men, with a favourable presumption that they did no wrong. If there is any presumption it is the other way against holders of power, increasing as the power increases. Historic responsibility has to make up for the want of legal responsibility. Power tends to corrupt and absolute power corrupts absolutely. Great men are almost [exclusively] bad men, even when they exercise influence and not authority: still more when you superadd the tendency or the certainty of corruption by authority.

Mr. President, those words were true in 1887, and they are true today. If you want to understand how power corrupts and absolute power corrupts absolutely, look no further than the other Chamber in the U.S. Capitol.

Speaker NANCY PELOSI is drunk on power. The orders that Speaker PELOSI is issuing are abusive and unprecedented. Speaker PELOSI has decreed to Members of the House of Representatives, elected by the people, that: If you dare walk onto the floor of the House of Representatives without a mask, I, Speaker PELOSI, shall fine you.

Who the hell is she to be fining Members of the House?

But you know what? She is not done with that. She is not done with disrespecting our Constitution, disrespecting our democratic system that elects leaders. She goes further, to the good men and women who work here in the U.S. Capitol. We are surrounded by men and women who have chosen to come and work for the public good, and here is what Speaker PELOSI has decreed: If you dare walk in the hallway without a mask, I, Speaker PELOSI, will arrest you. I will put you in jail. I will fine you.

That is an absolute and complete abuse of power. She has no authority to disrespect the men and women who work here, to threaten you with physical harm, to threaten you with imprisonment.

And why does she do so?

She does so for one reason: political theater.

We are coming through a very difficult year and a half. Our Nation and the world has endured a pandemic. We have collectively taken extraordinary steps to defeat this pandemic, and we are coming out on the other side. We saw our Nation, we saw the private sector come together with remarkable inventiveness and produce vaccines in record times, and we have seen hundreds of millions of people getting those vaccines. We are in the process of beating this pandemic.

Not too long ago, the CDC recognized what was obvious then and is obvious now: vaccines work. And if you are vaccinated, you don't need to wear a mask.

The CDC issued that ruling, and I remember that day well. I had been vaccinated a couple of months before then, and after allowing the time for the vaccine to become effective, I decided I was going to stop wearing a mask. Why is that? Because vaccines work, because I believe in science. So I stopped wearing a mask. And there were a handful of Senators on the Senate floor who had been vaccinated, who stopped wearing masks.

Then the CDC, like the Oracle of Delphi, issued its proclamation. Hold on to your seats now. The CDC said that vaccines work, that if you are vaccinated, you don't need a mask. It was truly miraculous in this Chamber watching what occurred, as within days, every Senator in the Chamber began removing their masks, one after the other, after the other—not just Republicans; Democrats too. We all had our masks off.

Mr. President, I ask you, the day before the oracle of Fauci spoke, did vaccines not work? Did science not operate? No. It was obvious then and it was obvious on the day that the oracle of the CDC spoke that vaccines work, which is why every Democrat took their mask off.

But fast-forward to this week. The CDC issues the new proclamation. Apparently, according to the CDC, vaccines don't work anymore. That science thing? Inoperative. We have more important things to worry about, like politics.

As an aside, has there ever been an institution in American public life that has more discredited itself more rapidly than the CDC? A year and a half ago, the CDC was one of the most respected medical and scientific organizations on the face of the planet. Today, the CDC has willingly allowed itself to be politicized, to behave as an arm of the DNC, and their credibility is in tatters. It is a joke.

We have seen the emails from Dr. Fauci where he said in the midst of the pandemic: Masks don't work. They are not effective. People shouldn't use them.

Then we saw him say: Oh, no, no, no; masks work. But I lied to the American people when I said they didn't



work because I didn't want them to wear masks because I wanted first responders to get them.

Now, pause for a second and think, what the heck is a scientific leader doing lying to the American people supposedly for our own good? The willingness to twist facts to meet political expediency has been stunning.

The CDC's ruling this week is not accompanied by any data. They did not roll out studies. They did not roll out facts. They did not say suddenly vaccines aren't working. Instead, they just said: Trust us. We have double-secret studies that we are not going to tell you based on double-secret-super data that we are not going to show you, but trust us because we behave like political hacks and obey us anyway.

By the way, the CDC plays an interesting little game. The CDC says: These are recommendations. These are just recommendations.

Then their faithful little foot soldiers, the Democratic officeholders, come in and make those recommendations mandates. And there is no one more willing to do so than Speaker PELOSI. And then, by the way, the local government Democrats who mandate "you must obey the CDC," they throw their hands up and say: Hey, we are just following the CDC. And the CDC says: Hey, we are just making recommendations. And no one is accountable for anything.

This makes no sense.

One of the things the CDC rolled out this week is an edict that in schools, everybody must be masked—child, adult. It doesn't matter if you are vaccinated; it doesn't matter; you must wear a mask. Why? Who knows? It is not based on science, not based on medicine.

This virus has been unusual. We have seen that in certain populations, COVID-19 can be profoundly deadly. If you are very elderly, if you have serious comorbidities, this virus can and has been deadly. But we have also seen among children that the odds of children getting seriously ill from COVID-19 are extremely low. We have seen that children have not proven to be a meaningful vector in the spread of this disease. The science doesn't support special rules for schools, but do you know what does? Politics. Because the teachers union bosses came to the CDC and said: We want this rule in place. And the partisan enforcers at the CDC said: Ma'am, yes, ma'am, we will issue the order demanded by the union bosses.

Mr. President, give me any plausible argument that that is science, that that is medicine, that that is anything but rank politics. If a Democratic politician wants to say "We are going to obey the union bosses," fine; that is their prerogative to do so. They can be held accountable by the voters. But the CDC is supposed to be following science. This is an abuse of power.

Let me point out my view. I think we should not have government mandates

concerning COVID-19. There should be no vaccine mandates. Joe Biden wants to mandate Federal employees must get the vaccine. Who the heck is the Federal Government to tell people they must stick a needle in their arm and inject themselves with a vaccine? We should have no vaccine mandates. We should have no mask mandates. We should have no vaccine passports.

Let me be clear. I am someone who believes in vaccines. I have been vaccinated. Heidi has been vaccinated. My parents have been vaccinated. Heidi's parents have been vaccinated. But I also believe in individual choice. I believe in freedom. I believe in responsibility. It is your choice if you want to get vaccinated. It is not some drunk-on-power Democrat in Washington's choice to force you to do it.

Doesn't anyone in the Democratic Party believe in medical autonomy? Doesn't anyone in the Democratic Party believe in medical privacy, or are you so willing to exert power that it doesn't matter what the people say?

You know, one of the great ironies of the CDC's order: It will decrease the rate of vaccination in the United States. The CDC is telling America: Hey, this vaccine stuff doesn't work very well because, you know, if you get a vaccine, it doesn't matter; you have to put the same mask on, and you have to behave exactly the same. When the CDC rightly said "If you are vaccinated, take your mask off," it encouraged people to get vaccinated. Hey, I want to take my mask off. Hey, I want to live my life. I want to go back to doing things that I like to do.

Let me point out one particularly ridiculous argument. This week, one of the commentators on one of the news networks said—I am paraphrasing here, but I am paraphrasing pretty closely—that anyone who isn't vaccinated is arrogant and rude and inconsiderate.

I want to point out how imbecilic that argument is. So let's go back to this thing called science, which actually works. So here is the science: If you have been vaccinated, the odds of your getting COVID-19 are exceptionally low. Depending on which vaccine you got, the percentages vary but let's say on the order of 3 to 5 percent. Even if you do get COVID-19, the odds of your getting a serious case of COVID-19, a case of COVID-19 resulting in hospitalization or death, are extremely low. This vaccine has been very, very successful.

If you understand that basic fact, then the next fact follows from it. If someone is unvaccinated and has COVID, they are little to no threat to someone who is vaccinated. If you have gotten your vaccine, you ought to be fine. The odds are very low that you are in jeopardy.

Now, could someone who is unvaccinated give COVID to someone else who is unvaccinated? Absolutely. That is why we are encouraging people to get vaccinated. But, you know what, the person who is unvaccinated—it is

their damn choice. We don't have to be a nanny state, making decisions for everybody else.

I have to tell you, in my family, my dad didn't want to get vaccinated. My father, like the Presiding Officer right now, is a pastor. My dad is 82.

When I got vaccinated, I called him and said: Dad, I want you to get vaccinated.

He said: No, I don't want to. I don't trust it. It is new. I don't know. I don't want to.

I spent about a month trying to convince my dad to get vaccinated. My father can be pretty stubborn. I know that is hard to believe. For those of you who know my dad, you know exactly that is the case.

But, ultimately, I told my dad—I said: Look, you have been largely staying home during this pandemic. You want to get out. You want to be preaching in churches again. You want to be traveling. You want to be with people. Get the vaccine, and you will have the freedom to go do that.

You know what. He did, and he did. He is now back in the pulpit. He is back preaching. He has freedom again. That was his choice.

Why don't Democrats believe in individual choice anymore? Why do Democrats believe they can abuse power?

And let me be clear. NANCY PELOSI is telling someone who is an employee of the House: If you are vaccinated and you don't wear your mask—she will arrest you and throw you in jail.

How dare she? That is an abuse of power. And I will tell you, the American people are watching this political theater play out in Washington, and they understand what is coming next. They understand the same CDC that said, even though there is no science to back it up, even though there is no data to back it up, because the teachers union bosses want masks for everyone in schools, we will decree it. They understand the risk of what is coming next is that authoritarian status Democrats will order more shutdowns. We will order businesses shut down. We will order schools shut down. We will order churches shut down.

As we look at the past year and a half, few things are clearer than that the shutdowns were a catastrophic mistake. The politicians who ordered the shutdowns committed a catastrophic mistake. They destroyed millions of small businesses—restaurants, bars, stores gone out of business.

You look at great cities like New York City that became practically a wasteland. You look at something like Broadway. You think of all the actors and actresses, all of the writers and musicians, all of the sound and lighting engineers, all the carpenters, everyone who worked on Broadway—with a dictatorial flick of a pen, their jobs were destroyed. The American people are watching Democrats and recognize they are ready to do that again.

For people who go to church, we have seen Democratic officeholders discriminate against churches and say: Worshipping God in church is a public



health menace. We have all seen the hypocrisy of the so-called experts who say: If you go outside and march and chant “Black lives matter,” zero risk of COVID transmission. Perfectly safe. If you go to church and sing “Hallelujah,” oh my God, everyone is going to die. People understand the hypocrisy of that.

This virus isn’t political. I recognize perhaps you could tongue-in-cheek make an argument that since it originated in Wuhan, China, maybe it is a Communist. But the last I checked, viruses don’t have political views. Do you know who does have political views? Politicians who are interested in their own power and want to convey a narrative regardless of the facts.

What Speaker PELOSI is doing is wrong. What the CDC is doing—corrupting science with politics—is wrong. And it is time for the U.S. Senate and the U.S. House to stand on the side of the American people, to stand on the side of freedom, and to say: It is your choice to go to work, to go to school, to go to church, to live your life free of Lord Acton’s abuse of absolute power.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Utah.

Mr. LEE. Mr. President, as we have undertaken this conversation, I can’t help but reflect on the fact that we are here in a representative body. We are here in order to have an exchange of ideas. We are here to engage in political speech, not the kind of political speech that people think of when they think of the word “politics,” where they think of something necessarily unpleasant. You know, when people hear the word “political” or “politics,” they think of the two great roots of the word “politics.” You have poly, which means many; and ticks, which are blood-sucking parasites. And they assume if it is political, it is unpleasant.

But I am using the word “political” here in a different sense, the sense that refers to the body politic. It refers to the fact that we are doing the people’s business. The exchange of information, of ideas is essential to everything we do.

Then it occurs to me that the mask discussion does carry a deeper meaning here, a deeper meaning that takes into account the fact that when we communicate—sometimes with words, sometimes without words, sometimes in print, sometimes with the spoken word, sometimes without any words at all—we are engaging in activity that is protected by the First Amendment.

Now, this is important to note in a wide swath of areas. It is important for how we worship or decline to do the same. It is important in how we express our viewpoints in our news, in our entertainment, media. In every aspect of our lives, it is important.

It is regarded as especially important in a body politic that people be able to express their feelings about government and about the role of government. It is also especially important

here that people be able to speak and otherwise communicate in a way that is clear and unvarnished, unfiltered.

In fact, we go so far even as to protect Members of Congress from liability in what they would say on the floor of the Senate or the House of Representatives. We do that because we feel that a full, frank, informed discussion is important. We don’t want Members being threatened with some sort of action, civil or criminal, based on things that they would utter here.

So freedom of speech is important for all citizens. It is also important to make sure that that freedom of speech is protected here.

It occurs to me that with the question of masks, the decision whether to wear a mask is not only deeply personal, but it is also, in this context, quite arguably expressive. Even before you utter a single word and regardless of whether you utter a single word, in many respects, your decision to wear a mask or not wear a mask is, itself, a form of expression. And as a form of suppression, it is protected.

In a long line of cases, the Supreme Court of the United States has identified conduct that is expressive and therefore protected by the First Amendment, notwithstanding the fact that it doesn’t necessarily involve words.

When you merge that with another line of analysis under First Amendment jurisprudence, we remember the fact that it is a problem whenever government suppresses speech in one way or another. It is especially problematic when the government tries to compel speech. When the government tries to direct an individual that he or she must utter certain words in order to be compliant with the dictates of the government, that implicates the compelled speech doctrine, and the compelled speech doctrine is an especially rigid one. It is an especially rigid one with very good reason.

You don’t want to force people to say stuff. That is the not government’s role. That is the whole idea behind the First Amendment, is that the government needs to stay out of our headspace. It needs to stay out of where we worship; it needs to stay out of our relationship with God; it needs to stay out of printing presses; and it needs to stay out of what we say.

Sometimes what we say can consist of things that don’t even involve words, something as simple as whether or not to wear a mask. In addition to all of the other public policy reasons, in addition to all the problems with having a CDC issuing these sweeping mandates and edicts without bothering to back up those edicts with scientific justification—even after months and months of receiving inquiries from Members of the U.S. Senate that they do so—separate and apart from all of those issues, I think it is important for us to look at the speech element, the expressive conduct that is inherent in whether or not you wear a mask, and

whether or not by compelling people to wear a mask, you are compelling people to engage in state-sponsored speech. You are telling them that they must send a message, a message with which they may well disagree.

Now, if I am wrong on this, if this is strictly a medical issue, then it will be backed up by scientific medical evidence. That is the nature of the problem that I have with the CDC’s mandate, its ever-fluctuating mandate, its mandate that, as recently as a few days ago, flip-flopped yet again. If, in fact, it were medical and scientific, it would be backed up as such, but it is not.

This is a form of compelled speech, not as we traditionally understand it because compelled speech usually involves the utterance of specific words. But we know that speech can be protected, even if it doesn’t involve words, if it is a type of expressive conduct, which wearing a mask is, especially if as here. We don’t have scientific evidence making it a medical issue.

So I would ask the Speaker of the House: Are you really going to arrest people for not saying what you want them to say? That is not OK. If it would never be OK for you to arrest people for not saying words that you have prescribed for them, why is it OK for you to compel them to engage in expressive conduct now amounting to speech? It is not.

Make no mistake, this isn’t medical. This isn’t scientific. If it were, we would have evidence of such. We don’t.

In light of that, separate and apart from all the other problems—problems that inhere in our form of government, problems that inhere in the fact we do, in fact, have three distinct branches of our Federal Government, that most laws are not Federal laws to begin with. Most laws originate in the States and in the localities. Most laws are not Federal, and they should never be.

But for those things that should be Federal laws, we have got one and only one branch of government that makes laws. It is no coincidence that the very first clause of the very first section of the very first article of the Constitution provides:

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.

Article I, section 7 then goes on to outline the formula contemplated in article I, section 1. In article I, section 7, it says that you can’t make a law under our form of government—at least not a Federal law—without passage in the House of Representatives and passage in the Senate and presentment to the President of the United States.

In many respects, these recommendations issued by the CDC end up carrying the force of generally applicable Federal law. That is wrong. And in many, many respects, that is on us. We have done a horrible job over the last few years—I would say over the last few decades—I would say over the last 80, 85 years, really. I won’t lay the

blame entirely at the feet of either party. In fact, this has happened under the control of different parties. It has happened with Senates and Houses of Representatives and White Houses of every conceivable partisan combination. We have seen the de facto outsourcing of our lawmaking authority to unelected, unidentifiable bureaucrats; men and women who, while well-educated, well-intentioned, hard-working, and highly specialized, don't work for the people. They don't work for you. You do not have the ability to elect them or unelect them.

You don't have the authority to replace them. That is why it is so dangerous for us to give them this sweeping authority. And even where they don't technically have authority that extends very far—and in this case, it is far too far, as evidenced by the fact that anytime you get on an airplane or other mode of public transportation, you are told that, under penalty of Federal law, you must wear a mask.

But I would ask, where is the act of Congress providing that? In what year did the Congress of the United States pass through the House and through the Senate and submit to the President of the United States for signature or veto a law stating that you must wear a mask on a plane or a train or a bus or in a bus depot or in a train station or in an airport under penalty of Federal law? There is no such law. You will not find it.

Now, you will find some other stuff in which we delegated far too much authority and given broad authority to the executive branch—to people like the CDC—to issue regulations. But as a matter of proper form, whenever they exercise that power, it is not appropriate for that to take effect by itself. It is not really a law in the constitutional sense of the word unless Congress has enacted it.

We have given them far too much power anyway. That is on us. We shouldn't do that. That is why I have been calling for years for reforms to this; why I have been calling for years for reforms, including but not limited to the REINS Act, which would require for any economically significant Federal regulation, before it takes effect, it must be passed by both Houses of Congress and presented to the President for signature or veto. It is why I have introduced the Global Trade Accountability Act, which would do for trade policy what the REINS Act does for regulatory policy. It is why we need to reform so many aspects of our laws, where we, as a practical matter, made the unelected and the unaccountable the supreme lawgivers, the lawmakers, law interpreters, and law enforcers.

This is not just something that can lead to tyranny; it is the very definition of tyranny, as every signer of the U.S. Constitution understood well. It is why they went to great lengths to separate out these three branches of government.

In addition to those problems with these edicts not based on science or

medicine but based on political considerations that are ever-changing—it is why they are so sweeping. It is why they are so troubling.

But they are maybe even more troubling, still, for the additional constitutional reason that, at the end of the day, to whatever degree these are not rooted in medical science and fact—which I believe they are not or at least the CDC hasn't established as much, and they really do amount to something compelling expressive conduct, the suppression of an official orthodoxy mandated by the government—we shouldn't accept this. We shouldn't accept any affirmative legal obligation placed on those we represent, to whom and for whose been we have sworn an oath to uphold, protect, and defend the Constitution of the United States, which requires us to make any law we force on the American people. We have an obligation to them, a solemn obligation to make sure they are not subject to laws made by those not of their own choosing.

It is these very features that James Madison had in mind when he authored Federalist No. 62. When he wrote, and I am paraphrasing a little bit here: It will be of little benefit to the American people that their laws may be written by men of their own choosing if those laws be so voluminous, complex, and ever-changing, if they can't reasonably understand what the law means and predict what it will say from one day to the next.

Today—this week even—we have seen the law be so unpredictable and ever-changing, that we can't expect what the law says from one day to another. But even worse, contrary to what Madison assumed would always be the case because the Constitution required it, the laws aren't even being written by men and women of our own choosing but instead by unelected, unaccountable bureaucrats who, despite how well-educated, well-intentioned, hard-working, and highly-specialized they may be, don't work for you, nor do they have authority under this document, to which we have all sworn an oath, to make laws.

That is our power. Shame on us if we relinquish to them the power that only we can exercise, that is, itself, nondelegable. Shame on us, further, if we allow those same people who, lacking the authority to legislate in the first instance, then transgress another affirmative constitutional command by compelling compliance with official government-mandated orthodoxy.

This cannot be. This cannot stand. I will not stand for it, and I will continue to draw attention to this issue until we have resolved the problem.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. HEINRICH. I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, and all nominees on the Secretary's desk in the Air Force, Army, Foreign Service, Marine Corps, Navy, and Space Force; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

#### IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

##### *To be lieutenant general*

Lt. Gen. Paul T. Calvert

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

##### *To be lieutenant general*

Maj. Gen. Donna W. Martin

#### IN THE NAVY

The following named officer for appointment as Judge Advocate General of the Navy and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8088:

##### *To be vice admiral*

Rear Adm. Darse E. Crandall, Jr.

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

##### *to be vice admiral*

Rear Adm. Daniel W. Dwyer

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

##### *To be general*

Lt. Gen. Anthony J. Cotton

#### IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

##### *To be lieutenant general*

Maj. Gen. Christopher J. Mahoney

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C. section 601:

##### *To be lieutenant general*

Maj. Gen. Stephen D. Sklenka

## IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10 U.S.C., section 601:

*To be general*

Lt. Gen. Michael A. Minihan

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. Kevin B. Schneider

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., Section 601:

*To be lieutenant general*

Maj. Gen. Tom D. Miller

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., Section 601:

*To be lieutenant general*

Maj. Gen. James A. Jacobson

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Mark E. Weatherington

## IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*Maj. Gen. Antonio M. Fletcher*

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

*To be major general*

Brig. Gen. Gregory K. Anderson  
Brig. Gen. Milford H. Beagle, Jr.  
Brig. Gen. Mark S. Bennett  
Brig. Gen. Gregory J. Brady  
Brig. Gen. Edmond M. Brown  
Brig. Gen. Timothy D. Brown  
Brig. Gen. Curtis A. Buzzard  
Brig. Gen. Robert M. Collins  
Brig. Gen. Kimberly M. Colloton  
Brig. Gen. Johnny K. Davis  
Brig. Gen. Thomas R. Drew  
Brig. Gen. Christopher L. Eubank  
Brig. Gen. Marcus S. Evans  
Brig. Gen. Brian W. Gibson  
Brig. Gen. Thomas L. James  
Brig. Gen. John V. Meyer, III  
Brig. Gen. Duane R. Miller  
Brig. Gen. Antonio V. Munera  
Brig. Gen. John L. Rafferty, Jr.  
Brig. Gen. Joshua M. Rudd  
Brig. Gen. Joseph A. Ryan  
Brig. Gen. Michelle A. Schmidt  
Brig. Gen. James M. Smith  
Brig. Gen. Brett G. Sylvia  
Brig. Gen. William D. Taylor  
Brig. Gen. William L. Thigpen  
Brig. Gen. Matthew J. Vanwagenen  
Brig. Gen. Joel B. Vowell  
Brig. Gen. Todd R. Wasmund

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army in the grade indicated under title 10, U.S.C., sections 12203 and 12211:

*To be brigadier general*

Col. Derek N. Lipson

## IN THE MARINE CORPS

The following named officer for appointment as Assistant Commandant of the Marine Corps and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8044:

*To be general*

Lt. Gen. Eric M. Smith

## IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be admiral*

Vice Adm. Daryl L. Caudle

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be vice admiral*

Vice Adm. James W. Kilby

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be vice admiral*

Rear Adm. Frank D. Whitworth, III

## IN THE SPACE FORCE

The following named officer for appointment in the United States Space Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Michael A. Guetlein

## NOMINATIONS PLACED ON THE SECRETARY'S DESK

## IN THE AIR FORCE

PN824 AIR FORCE nominations (529) beginning MACMILLAN M. ACHU, and ending ZACHARY L. ZORN, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN825 AIR FORCE nominations (173) beginning VINCENT P. ADAMO, and ending STEPHANY S. ZARIFA EWERS, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN826 AIR FORCE nominations (170) beginning JOHN K. AHN, and ending CRAIG M. ZINCK, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN827 AIR FORCE nominations (165) beginning JONATHAN V. ABUEG, and ending AXEL A. ZENGOTITA, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN828 AIR FORCE nominations (38) beginning KURT C. ANTONIO, and ending KARRIE E. WRAY, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN829 AIR FORCE nominations (59) beginning LORREN D. ANDERSON, and ending LEAH M. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN830 AIR FORCE nomination of Kjall Gopaul, which was received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN879 AIR FORCE nomination of Gavin N. Unverferht, which was received by the Senate and appeared in the Congressional Record of July 15, 2021.

## IN THE ARMY

PN831 ARMY nominations (28) beginning ANDREA C. ALICEA, and ending

GIOVANNY F. ZALAMAR, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN832 ARMY nominations (143) beginning ERIC B. ABDUL, and ending CAMERON S. WOLTERSTORFF, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN833 ARMY nominations (33) beginning PETER P. ALERIA, and ending D016099, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN834 ARMY nominations (72) beginning TRENTON G. ADAMS, and ending AMANDA J. ZELNICK, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN835 ARMY nominations (295) beginning SAIRA AHMED, and ending ANTONIO B. ZIHERL, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN838 ARMY nomination of Sean B. Baker, which was received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN839 ARMY nomination of Nina A. McCoy, which was received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN840 ARMY nomination of Aaron T. Hill, Jr., which was received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN841 ARMY nomination of Alexander L. Ailer, which was received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN842 ARMY nomination of Neil J. Myres, which was received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN843 ARMY nomination of Melissa M. Joy, which was received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN844 ARMY nomination of Jeffrey C. Schwab, which was received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN880 ARMY nomination of Bonnie L. Riortella, which was received by the Senate and appeared in the Congressional Record of July 15, 2021.

PN881 ARMY nomination of Winston S. Williams, Jr., which was received by the Senate and appeared in the Congressional Record of July 15, 2021.

## IN THE FOREIGN SERVICE

PN359 FOREIGN SERVICE nominations (2) beginning Jeanne Frances Bailey, and ending Bruce J. Zanin, which nominations were received by the Senate and appeared in the Congressional Record of April 13, 2021.

PN477 FOREIGN SERVICE nominations (2) beginning Russell Anthony Duncan, and ending Mark Clayton Prescott, which nominations were received by the Senate and appeared in the Congressional Record of April 27, 2021.

PN478 FOREIGN SERVICE nomination of Marc Clayton Gilkey, which was received by the Senate and appeared in the Congressional Record of April 27, 2021.

PN479 FOREIGN SERVICE nominations (4) beginning Susannah Holmes, and ending Aaron Rodgers, which nominations were received by the Senate and appeared in the Congressional Record of April 27, 2021.

PN724 FOREIGN SERVICE nominations (41) beginning Gabriel J. Allison, and ending Amanda M. Zeidan, which nominations were received by the Senate and appeared in the Congressional Record of June 22, 2021.

PN727 FOREIGN SERVICE nominations (14) beginning Wade C. Martin, and ending

Fernando Ospina, which nominations were received by the Senate and appeared in the Congressional Record of June 22, 2021.

#### IN THE MARINE CORPS

PN845 MARINE CORPS nomination of Ryan M. Oleksy, which was received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN846 MARINE CORPS nomination of Justin D. Amthor, which was received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN847 MARINE CORPS nomination of Rory L. Aldridge, which was received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN848 MARINE CORPS nomination of Brian D. Turner, which was received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN882 MARINE CORPS nomination of Jared K. Stone, which was received by the Senate and appeared in the Congressional Record of July 15, 2021.

PN883 MARINE CORPS nomination of Justin K. Sing, which was received by the Senate and appeared in the Congressional Record of July 15, 2021.

#### IN THE NAVY

PN849 NAVY nominations (2) beginning ADAM M. KLEIN, and ending ROBERT A. PETRICK, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN850 NAVY nominations (2) beginning JEFFREY D. PIZANTI, and ending THOMAS E. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN851 NAVY nominations (3) beginning ANDREW P. BREKSA, III, and ending MATTHEW C. WARD, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN852 NAVY nominations (4) beginning JEFFREY BENNINGTON, and ending CARMEN N. EHRET, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN853 NAVY nominations (2) beginning KATHRYN M. BALL, and ending ANDREA H. FRANKS, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN854 NAVY nominations (12) beginning HEIDI E. COCHRAN, and ending JOHN T. ZABLOCKI, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN855 NAVY nominations (2) beginning ANDREW R. KOTILA, and ending LEONARD K. PAYNE, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN856 NAVY nominations (2) beginning DUSTIN A. ELLIS, and ending LAURA A. PRICE, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN857 NAVY nomination of Chantal J. Bhan, which was received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN858 NAVY nominations (3) beginning KENNETH HELMAN, and ending ERIN E. MEEHAN, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN859 NAVY nomination of Andrew T. Rucker, which was received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN860 NAVY nomination of VJ Omundson, which was received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN861 NAVY nominations (87) beginning MATTHEW K. AHLERS, and ending

GRETCHEN L. WOODARD, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN862 NAVY nominations (2) beginning DESERINE S. PRICEJORDAN, and ending KELLY A. VARONFAKIS, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN863 NAVY nominations (3) beginning ADAM S. BASHAW, and ending SONJA M. M. LOHMEYER, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN864 NAVY nominations (7) beginning CARMELITA S. FLEMING, and ending CRAIG R. SCHOENE, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN865 NAVY nomination of James E. Coleman, Jr., which was received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN866 NAVY nomination of Theodore M. Menke, which was received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN867 NAVY nominations (10) beginning EDWIN J. DUCAYET, and ending KIPP T. TEAMEY, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2021.

PN884 NAVY nomination of Kerri R. Fuhs, which was received by the Senate and appeared in the Congressional Record of July 15, 2021.

PN885 NAVY nomination of Jesse D. King, which was received by the Senate and appeared in the Congressional Record of July 15, 2021.

PN886 NAVY nominations (2) beginning RANDALL G. HODO, and ending GAVIN A. SANJUME, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2021.

PN887 NAVY nominations (2) beginning DAVID W. DAVIS, II, and ending JONATHAN K. MARKRICH, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2021.

PN888 NAVY nominations (7) beginning GLENN M. EBERHART, and ending STEVEN J. PETRACEK, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2021.

PN889 NAVY nominations (21) beginning SCOTT A. ASKEVICH, and ending DANIELLE J. WILHELM, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2021.

PN890 NAVY nominations (4) beginning JEFFREY BENSON, and ending ELMER F. RILEY, III, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2021.

PN891 NAVY nominations (8) beginning ROBERT J. ALWINE, II, and ending DARREN S. WALL, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2021.

PN892 NAVY nominations (6) beginning JULIA L. AZURIN, and ending MARYELLEN V. WETMORE, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2021.

PN893 NAVY nominations (9) beginning RYAN A. BAUM, and ending DAWN L. WYNN, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2021.

PN894 NAVY nominations (8) beginning BERNARD H. HOFMANN, and ending HOI S. WONG, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2021.

#### IN THE SPACE FORCE

PN895 SPACE FORCE nomination of John P. Smail, which was received by the Senate and appeared in the Congressional Record of July 15, 2021.

#### EXECUTIVE CALENDAR

Mr. HEINRICH. I ask unanimous consent that the Senate consider the following nominations en bloc: Calendar Nos. 163 and 164; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nominations be printed in the Record; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Frank A. Rose, of Massachusetts, to be Principal Deputy Administrator, National Nuclear Security Administration; and Deborah G. Rosenblum, of the District of Columbia, to be an Assistant Secretary of Defense.

There being no objection, the Senate proceeded to consider the nominations en bloc.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Rose and Rosenblum nominations, en bloc?

The nominations were confirmed en bloc.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NATIONAL WHISTLEBLOWER APPRECIATION DAY

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the attached speech, which I delivered in honor of National Whistleblower Appreciation Day, be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL WHISTLEBLOWER APPRECIATION DAY  
JULY 29, 2021

Each year on July 30th, we take time to celebrate whistleblowers and the important role they play in keeping our government transparent and accountable.

But as you folks know, the task of supporting whistleblowers doesn't start and stop on July 30th.

It's a year round job.

And here in the Congress, it's something we've been working at for decades.

When I first came to Washington in the 1970s, many of the whistleblower laws we take for granted today didn't exist at all.

Anybody who dared to blow the whistle back then was about as welcome as a skunk at a picnic.

Of course the real skunks were usually there among the crowd trying to build a scare, chase the whistleblower away, and destroy their reputation.

That's still true today.

But now it's a lot harder for those people to get off the hook.

That's because whistleblowers today have a lot more protections than they did years ago, and they have important advocates in their corner, such as the IG community, who are there to support them.

And when they don't, I call them out for it.

You may have heard that I recently recommended that President Biden fire FHFA IG Laura Wertheimer.

Last month, the IG decided to resign effective July 31st.

It's unusual for me to ask the President to fire an IG. In fact, you may recall that in past years, I've written letters to Presidents Obama and Trump when they fired IGs without providing reasons to Congress as required by law.

But this was a clear cut case.

I started investigating IG Wertheimer years ago.

Whistleblowers were the ones who first brought concerns about the IG to my attention.

They said she was abusing her staff, making fun of them for things like their weight and medical disabilities.

She was even retaliating against some of the whistleblowers who spoke to my office.

After I saw just how bad things were, I asked the Inspector General Community's Integrity Committee to conduct their own investigation.

They validated many of the whistleblowers' claims and called for her to be removed.

Earlier this month, there was concern that the IG's Chief Counsel, who was found to have obstructed the Integrity Committee's investigation and was recommended for disciplinary action, could become the new Acting IG.

So I wrote to President Biden, urging him to appoint a qualified individual for the Acting IG position and swiftly nominate a permanent replacement who will respect their staff and protect whistleblowers the way they are supposed to as an IG, instead of retaliating against them.

My ongoing work to support whistleblowers also involves new legislation.

One bill that we passed recently involves the Commodity Futures Trading Commission Whistleblower Program.

Since that program was created, whistleblowers in the commodities industry have been coming forward in unprecedented numbers to report fraud and abuse.

We reached a point within the last year where the upcoming awards were so large, the fund was in danger of not having enough cash on-hand to pay whistleblower office staff.

My CFTC Fund Management Act, which passed the Congress in June, now allows the Commission to set aside money in a separate account to ensure that staff are paid and this highly successful whistleblower office can remain open.

I also have several other bipartisan whistleblower bills I intend to pass this congress.

I'm working on legislation that will strengthen incentives and protections for

whistleblowers who report potential money laundering, as well as whistleblower protections for FBI employees.

And I have bills to further strengthen the False Claims Act and Program Fraud Civil Remedies Act.

So, as much as we've accomplished together, there's still more to be done.

In closing, I want to thank you all for the role you play in bringing attention to whistleblower issues and advocating on behalf of whistleblowers.

Your service in support of whistleblower issues is a service to our country and all the ideals of good government that I've spent my career working to promote.

So please go forward and continue doing the good work that you've been doing all along.

Together, let's make sure the whistleblower laws and protections we have in place next year and the year after are even stronger than the ones we have in place today.

Thank you.

#### VOTE EXPLANATION

Mr. MARSHALL. Mr. President, were I present during the vote today on H.R. 3237, as amended, I would have vote yea.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO RICK SHANKLIN

• Mr. PAUL. Mr. President, July 31, 2021, marks the retirement of Rick Shanklin, whose remarkable career with the National Weather Service spans several decades.

Though Rick hails from a small farming community near Hopkinsville in Christian County, most of his career has been spent at the NWS office in Paducah, KY, where he was the warning coordination meteorologist.

He has served at all three National Weather Service operations in Kentucky, has been a forecaster, worked with countless tornado drills and national assessment teams, and pursued his passion for operational readiness and public severe weather preparedness, earning many honors along the way from the Department of Commerce, various Governors throughout the region, and the Commonwealth of Kentucky's Division of Emergency Management.

Rick is also credited with championing the development of Kentucky's "Mesonet," a network of over 70 automated weather monitoring stations, hosted by Western Kentucky University, that is a model for other States.

It turns out that Rick is something of a celebrity among those who share his passion for the science and technology of predicting and preparing for the very dynamic weather conditions of the Commonwealth. His fans, local leaders, and county emergency managers will miss his regular updates and his steady, thorough engagement during critical weather events.

Most importantly, it would be difficult to calculate the lives saved and property losses mitigated by the work

that Rick has performed during his career. I am proud to recognize him for his considerable contribution to the safety of Kentuckians and to families throughout the region.●

#### RECOGNIZING THREE BOYS FARM DISTILLERY

Mr. PAUL. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Kentucky small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize Three Boys Farm Distillery in Graefenburg, KY, as the Senate Small Business of the Week.

In 2011, Ross and Heather Caldwell moved their family from Colorado to Kentucky, and quickly pursued their dream of opening a distillery. Before moving to Kentucky, Ross and Heather purchased a 122-acre farm providing them a space to open a distillery, and have remaining land to graze cattle and grow corn for use in their single barrel bourbon and whiskey. Like many small business owners, the journey to open their business was no easy task, as Ross and Heather navigated redtape and burdensome regulations before getting their business off the ground. After many hurdles, Three Boys Farm Distillery opened its doors in 2013, named in tribute to the Caldwells' triplets: Patrick, Andrew, and Ethan. Over the years, family has remained the foundation of this small business with Ross serving as master distiller, but growth has led to hiring nine additional employees, including another master distiller.

Today, Three Boys Farm Distillery is renowned for its bourbon and rye whiskey. Their products are sold throughout the United States and have drawn praise nationwide. The distillery's bourbon and whiskey tastings are a hit among Kentuckians and tour groups alike, drawing visitors from around the United States and abroad. Uniquely, Three Boys Farm Distillery allows guests to sample and bottle their own whiskey and bourbon straight from the barrel. Over the years, Three Boys Farm Distillery has also become a popular event venue for weddings and family reunions. Additionally, the distillery supports other local artisans and small businesses by selling their goods at the distillery's on-site gift shop.

Like many small businesses, Three Boys Farm Distillery was faced with challenges caused by the coronavirus pandemic but overcame them by adapting their business model throughout the ever-changing government regulations. The distillery expanded their shipping operations to provide long-time consumers access to their products and relied on the recommendations from their loyal customers to grow their customer base when distillery tours and tastings were prohibited. Furthermore, Three Boys Farm

Distillery expanded its bottling operations to assist outside companies bottle and label their products for sale. While expanding the distillery's operations helped Three Boys Farm Distillery stay afloat during the pandemic, longtime friend of the Caldwells, Walter Zausch, a University of Kentucky alum, provided additional assistance by investing in the business and becoming a majority owner. Rebounding from the pandemic, this summer, Three Boys Farm Distillery began hosting live concerts featuring local artists and continues to provide Kentuckians with a place to relax, build community, and enjoy a glass of bourbon with friends.

Three Boys Farm Distillery is a remarkable example of the resilience and adaptability of locally owned small businesses. Small businesses, like Three Boys Farm Distillery, form the heart of towns across Kentucky and play a critical role in Kentucky's bourbon and whiskey industry. Congratulations to Ross, Heather, Walter, and the entire team at Three Boys Farm Distillery. I wish them the best of luck, and I look forward to watching their continued growth and success in Kentucky.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

At 1:33 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4346. An act making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes.

H.R. 4373. An act making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2022, and for other purposes.

At 5:02 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has agreed to the amendment of the Senate to the bill (H.R. 3237) making emergency supplemental appropriations for the fiscal year ending September 30, 2021, and for other purposes.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4346. An act making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; to the Committee on Appropriations.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1538. A communication from the Program Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulatory Capital Rule: Emergency Capital Investment Program" (RIN1557-AF09) received in the Office of the President of the Senate on July 21, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-1539. A communication from the Sanctions Regulations Advisor, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "International Criminal Court-Related Sanctions Regulations" (31 CFR Part 520) received in the Office of the President of the Senate on July 20, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-1540. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-1541. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Role of Supervisory Guidance" (RIN3170-AB02) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-1542. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Burundi that was declared in Executive Order 13712 of November 22, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-1543. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, a report entitled "Report to the Congress on the Profitability of Credit Card Operations of Depository Institutions"; to the Committee on Banking, Housing, and Urban Affairs.

EC-1544. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing-Federal Housing Commissioner, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Manufactured Home Construction and Safety Standards; Delay of Effective Date" (RIN2502-AJ49) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-1545. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the Central African Republic that was declared in Executive Order 13667 of May 12, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC-1546. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to persons who commit, threaten to commit, or support terrorism declared in Executive Order 13224 of September 23, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-1547. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Ukraine that was originally declared in Executive Order 13660 of March 6, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC-1548. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to South Sudan that was declared in Executive Order 13664 of April 3, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC-1549. A communication from the Senior Congressional Liaison, Office of Legislative Affairs, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the 2021 annual report relative to the Fair Debt Collection Practices Act; to the Committee on Banking, Housing, and Urban Affairs.

EC-1550. A communication from the Senior Congressional Liaison, Legislative Affairs, Bureau of Consumer Financial Protection, transmitting, pursuant to law, a report entitled "Consumer Response Annual Report"; to the Committee on Banking, Housing, and Urban Affairs.

EC-1551. A communication from the President and Chief Executive Officer, Securities Investor Protection Corporation, transmitting, pursuant to law, the report of a rule entitled "Order Approving the Determination of the Board of Directors of the Securities Investor Protection Corporation not to Adjust for Inflation the Standard Maximum Cash Advance Amount and Notice of the Standard Maximum Cash Advance Amount" received in the Office of the President of the Senate on July 26, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-1552. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Announcement and Report Concerning Advance Pricing Agreements" (Announcement 2021-6) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Finance.

EC-1553. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Secure Electronic Prior Authorization For Medicare Part D Program; Delay in Effective Date" (RIN0938-AT94) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Finance.

EC-1554. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Organ Procurement Organization Conditions for Coverage; Revisions to the Outcome Measure Requirements for Organ Procurement Organizations; Public Comment Period; Delay of Effective Date" (RIN0938-AU02) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Finance.

EC-1555. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the



report of a rule entitled “Revenue Procedure 2021-4” (Rev. Proc. 2021-4) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Finance.

EC-1556. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Extension of Relief for Qualified Opportunity Funds and Investors Affected by Ongoing Coronavirus Disease 2019 Pandemic” (Notice 2021-10) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Finance.

EC-1557. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Excise Taxes; Transportation of Persons by Air; Aircraft Management Services” (RIN1545-BP37) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Finance.

EC-1558. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Revenue Procedure 2021-12” (Rev. Proc. 2021-12) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Finance.

EC-1559. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Guidance on the Employee Retention Credit under the CARES Act for the First and Second Calendar Quarters of 2021” (Notice 2021-23) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Finance.

EC-1560. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Guidance on the Employee Retention Credit under Section 2301 of the Coronavirus Aid, Relief, and Economic Security Act” (Notice 2021-20) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Finance.

EC-1561. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Section 199A Rules for Cooperatives and their Patrons” (RIN1545-B090) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Finance.

EC-1562. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Revenue Procedure 2021-3” (Rev. Proc. 2021-3) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Finance.

EC-1563. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Tax on Excess Tax-Exempt Organization Executive Compensation” (RIN1545-B099) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Finance.

EC-1564. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Credit for Carbon Oxide Sequestration” (RIN1545-BP42) received in the Office of the President of the

Senate on July 26, 2021; to the Committee on Finance.

EC-1565. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Guidance under Section 1061” (RIN1545-B081) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Finance.

EC-1566. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Deduction for Foreign-Derived Intangible Income and Global Intangible Low-Taxed Income” (RIN1545-B055) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Finance.

EC-1567. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report on the Child Support Program for fiscal year 2017; to the Committee on Finance.

EC-1568. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Guidance on Passive Foreign Investment Companies” (RIN1545-B059) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Finance.

EC-1569. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Denial of Deduction for Certain Fines, Penalties, and Other Amounts; Related Information Reporting Requirements” (RIN1545-B067) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Finance.

EC-1570. A communication from the Chief of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Additional Guidance Regarding Limitation on Deduction for Business Interest Expense” (RIN1545-BP73) received in the Office of the President of the Senate on July 26, 2021; to the Committee on Finance.

EC-1571. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2021-0010 - 2021-0020); to the Committee on Foreign Relations.

EC-1572. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2021-0001 - 2021-0009); to the Committee on Foreign Relations.

EC-1573. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to significant malicious cyber-enabled activities that was declared in Executive Order 13694 of April 1, 2015; to the Committee on Foreign Relations.

EC-1574. A communication from the Secretary of the Treasury, transmitting, pursuant to section 1705(e)(6) of the Cuban Democracy Act of 1992, as amended by Section 102(g) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, a semi-annual report relative to telecommunications-related payments made to Cuba during the period from July 1, 2020 through December 31, 2020; to the Committee on Foreign Relations.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BLUMENTHAL (for himself and Mr. MENENDEZ):

S. 2528. A bill to amend title 18, United States Code, to provide a penalty for assault against journalists, and for other purposes; to the Committee on the Judiciary.

By Mr. MENENDEZ:

S. 2529. A bill to amend the Internal Revenue Code of 1986 to provide for advance refunds of certain net operating losses and research expenditures relating to COVID-19, and for other purposes; to the Committee on Finance.

By Mr. CASSIDY (for himself and Ms. DUCKWORTH):

S. 2530. A bill to amend the Internal Revenue Code of 1986 to provide for the deductibility of charitable contributions to certain organizations for members of the Armed Forces; to the Committee on Finance.

By Mr. WARNER (for himself and Mr. BOOKER):

S. 2531. A bill to amend titles XIX and XXI of the Social Security Act to give States the option to extend the Medicaid drug rebate program to the Children's Health Insurance Program, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. WYDEN, Mr. VAN HOLLEN, Mr. CARPER, Ms. HIRONO, Mr. DURBIN, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. MARKEY, Mr. WARNER, Mr. OSSOFF, and Mr. BENNET):

S. 2532. A bill to provide protections for employees of, former employees of, and applicants for employment with Federal agencies, contractors, and grantees whose right to petition or furnish information to Congress is interfered with or denied; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TESTER (for himself, Mr. BOOZMAN, Ms. HIRONO, and Ms. COLLINS):

S. 2533. A bill to improve mammography services furnished by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans Affairs.

By Mr. OSSOFF (for himself, Mr. WARNOCK, and Mr. PADILLA):

S. 2534. A bill to amend title 49, United States Code, to provide assistance for increasing the frequency and availability of public transportation service, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. YOUNG (for himself and Mr. COONS):

S. 2535. A bill to authorize additional district judges for the district courts and convert temporary judgeships; to the Committee on the Judiciary.

By Mr. RUBIO (for himself, Mr. DAINES, Mr. TILLIS, Ms. LUMMIS, Mr. BRAUN, Mr. LANKFORD, Mrs. HYDE-SMITH, Mr. YOUNG, Mr. THUNE, and Mr. INHOFE):

S. 2536. A bill to require the Government Accountability Office to submit a report on the public health mitigation messaging and guidance of the Centers for Disease Control and Prevention; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself and Mr. PADILLA):

S. 2537. A bill to amend the Internal Revenue Code of 1986 to provide a credit for previously-owned qualified plug-in electric drive motor vehicles; to the Committee on Finance.



By Mr. BOOKER (for himself and Mrs. CAPITO):

S. 2538. A bill to reauthorize a program of grants to hospitals and emergency departments to develop, implement, enhance, or study alternatives to opioids for pain management, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. DUCKWORTH:

S. 2539. A bill to direct the Secretary of Transportation to issue rules requiring the inclusion of new safety equipment in school buses, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PORTMAN (for himself and Mr. PETERS):

S. 2540. A bill to make technical corrections to title XXII of the Homeland Security Act of 2002, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. SINEMA (for herself and Mr. HOEVEN):

S. 2541. A bill to authorize the reclassification of the tactical enforcement officers (commonly known as the "Shadow Wolves") in the Homeland Security Investigations tactical patrol unit operating on the lands of the Tohono O'odham Nation as special agents; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SULLIVAN (for himself, Mr. KING, Mrs. FEINSTEIN, and Ms. MURKOWSKI):

S. 2542. A bill to require that certain agencies only procure cut flowers and cut greens grown in the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HAGERTY (for himself, Mr. WARNER, Ms. LUMMIS, Mr. CRAMER, Mr. GRASSLEY, Mr. CRUZ, Mr. SCOTT of Florida, Mr. BRAUN, and Mr. YOUNG):

S. 2543. A bill to require a study on the national security implications of the People's Republic of China's efforts to create an official digital currency; to the Committee on Foreign Relations.

By Ms. SMITH (for herself and Mr. VAN HOLLEN):

S. 2544. A bill to adjust the applicability of certain amendments to the Truth in Lending Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VAN HOLLEN (for himself and Mr. ROUNDS):

S. 2545. A bill to establish a comprehensive United States Government initiative to build the capacity of young leaders and entrepreneurs in Africa, and for other purposes; to the Committee on Foreign Relations.

By Mr. MERKLEY (for himself and Mr. RUBIO):

S. 2546. A bill to require the Commissioner of Food and Drugs to develop standards for "Reef Safe" and "Ocean Safe" labels for sunscreen; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself, Mr. TILLIS, and Mr. WHITEHOUSE):

S. 2547. A bill to improve the procedures for the authentication and the secure and tamper-evident delivery and transmission of certain court orders; to the Committee on the Judiciary.

By Mr. BRAUN (for himself, Ms. LUMMIS, Mr. SCOTT of Florida, and Mr. CRUZ):

S. 2548. A bill to provide for fiscal gap and generational accounting analysis in the legislative process, the President's budget, and annual long-term fiscal outlook reports; to the Committee on the Budget.

By Ms. SMITH (for herself, Mr. BROWN, Mr. VAN HOLLEN, Ms. WARREN, Mr.

MENENDEZ, Mr. SANDERS, Mr. CASEY, Ms. KLOBUCHAR, Mr. WYDEN, Mr. BLUMENTHAL, Mr. HEINRICH, Mr. MURPHY, Mr. PADILLA, and Mr. OSSOFF):

S. 2549. A bill to authorize a grant program for educational institutions to analyze, digitize, and map historic records relating to housing discrimination, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASEY (for himself, Mr. CASSIDY, Ms. HASSAN, and Mr. YOUNG):

S. 2550. A bill to amend the Higher Education Act of 1965 to provide students with disabilities and their families with access to critical information needed to select the right college and succeed once enrolled; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS (for himself and Mr. PORTMAN):

S. 2551. A bill to require the Director of the Office of Management and Budget to establish or otherwise provide an artificial intelligence training program for the acquisition workforce, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MARKEY:

S. 2552. A bill to promote long-term economic recovery and job creation in underserved communities by providing for investment in catalytic local predevelopment projects for resilient climate infrastructure innovation and to provide assistance to support State and local project development, and for other purposes; to the Committee on Environment and Public Works.

By Ms. HIRONO (for herself, Mr. WHITEHOUSE, Mrs. MURRAY, and Mr. DURBIN):

S. 2553. A bill to amend title 28, United States Code, to protect employees of the Federal judiciary from discrimination, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN (for himself and Mr. WYDEN):

S. 2554. A bill to amend the Internal Revenue Code of 1986 to provide a refundable tax credit to taxpayers who provide reductions in rent to their tenants under State rental reduction programs, and for other purposes; to the Committee on Finance.

By Mrs. SHAHEEN:

S. 2555. A bill to require the Secretary of Defense to establish a task force to address the effects of the release of perfluoroalkyl substances and polyfluoroalkyl substances from activities of the Department of Defense, to include exposure to such substances in periodic health assessments of members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. WARNER (for himself, Mr. DAINES, Ms. DUCKWORTH, Mr. GRASSLEY, Mr. CORNYN, and Mr. CASSIDY):

S. 2556. A bill to amend title XVIII of the Social Security Act to protect beneficiaries with limb loss and other orthopedic conditions by providing access to appropriate, safe, effective, patient-centered orthotic and prosthetic care, to reduce fraud, waste, and abuse with respect to orthotics and prosthetics, and for other purposes; to the Committee on Finance.

By Mr. PORTMAN (for himself and Mr. MANCHIN):

S. 2557. A bill to require certain transportation projects to include a value-for-money analysis, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MARSHALL (for himself and Mr. ROUNDS):

S. 2558. A bill to amend the Internal Revenue Code of 1986 to provide incentives for livestock processing facilities; to the Committee on Finance.

By Mr. PORTMAN (for himself and Mr. PETERS):

S. 2559. A bill to establish the National Deepfake and Digital Provenance Task Force, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. RUBIO (for himself and Mr. SCOTT of Florida):

S. 2560. A bill to reform the inspection process of housing assisted by the Department of Housing and Urban Development, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DAINES (for himself and Mr. RISCH):

S. 2561. A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and the Federal Land Policy and Management Act of 1976 to provide that a land resource management plan or land use plan approved, amended, or revised under those Acts shall not be considered to be a continuing Federal agency action or constitute a discretionary Federal involvement or control for a distinct Federal purpose, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. STABENOW (for herself, Mr. YOUNG, Ms. HASSAN, Ms. COLLINS, Mr. CASEY, Mr. LANKFORD, Mr. CARDIN, and Ms. LUMMIS):

S. 2562. A bill to amend title XVIII of the Social Security Act to improve extended care services by providing Medicare beneficiaries with an option for cost effective home-based extended care under the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. SCHATZ (for himself, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Ms. SMITH, Mr. MARKEY, and Mr. BOOKER):

S. 2563. A bill to establish a Science Advisory Board at the Department of Justice, and for other purposes; to the Committee on the Judiciary.

By Mr. DAINES (for himself, Mr. CRAPO, Mr. RISCH, and Ms. LUMMIS):

S. 2564. A bill to establish a pilot program under which the Chief of the Forest Service may use alternative dispute resolution in lieu of judicial review for certain projects; to the Committee on Energy and Natural Resources.

By Ms. ROSEN (for herself, Mr. BARASSO, Ms. BALDWIN, and Mrs. FISCHER):

S. 2565. A bill to amend title XI of the Social Security Act to provide for the testing of a community-based palliative care model; to the Committee on Finance.

By Ms. ROSEN (for herself, Mr. BARASSO, and Ms. BALDWIN):

S. 2566. A bill to require the Center for Medicare and Medicaid Innovation to test allowing blood transfusions to be paid separately from the Medicare hospice all-inclusive per diem payment; to the Committee on Finance.

By Mrs. CAPITO (for herself, Mr. COTTON, Mr. CRAMER, Mrs. HYDE-SMITH, Mr. HAWLEY, Mr. BARASSO, Mrs. BLACKBURN, Mr. HAGERTY, Mr. BLUNT, Mr. INHOFF, Mr. DAINES, Mr. SCOTT of South Carolina, Mr. LANKFORD, Mr. TILLIS, Mr. MORAN, Mr. TUBERVILLE, Mrs. FISCHER, Mr. ROUNDS, Mr. CRAPO, Mr. CRUZ, Mr. SASSE, Mr. HOEVEN, Ms. LUMMIS, Ms. ERNST, Mr. SULLIVAN, Mr. BOOZMAN, Mr. GRAHAM, Mr. WICKER, Mr. SHELBY, Mr. RISCH, Mr. MARSHALL, Mr. GRASSLEY, and Mr. BURR):

S. 2567. A bill to enact the definition of "waters of the United States" into law, and for other purposes; to the Committee on Environment and Public Works.

By Ms. CORTEZ MASTO:

S. 2568. A bill to establish the Open Access Evapotranspiration (OpenET) Data Program; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND (for herself, Mr. LUJÁN, Mr. BLUMENTHAL, Mr. PADILLA, Mr. SANDERS, Mr. MARKEY, Ms. KLOBUCHAR, Ms. WARREN, Mr. MERKLEY, Mr. BOOKER, Ms. BALDWIN, and Mr. DURBIN):

S. 2569. A bill to enhance the rights of domestic workers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LUJÁN (for himself and Mr. HEINRICH):

S. 2570. A bill to establish grant programs to improve the health of residents along the United States-Mexico and United States-Canada borders and for all hazards preparedness in the border areas, including with respect to bioterrorism, infectious disease, and other emerging biothreats, and for other purposes; to the Committee on Foreign Relations.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WICKER (for himself and Mr. MANCHIN):

S. Res. 328. A resolution designating August 1, 2021, as "Gold Star Children's Day"; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mrs. BLACKBURN):

S. Res. 329. A resolution amending the eligibility criteria for the Senate Employee Child Care Center; considered and agreed to.

By Mr. BARRASSO (for himself, Ms. LUMMIS, Mr. SCHUMER, Mr. MCCONNELL, Ms. BALDWIN, Mr. BENNETT, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mr. BRAUN, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAMER, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Ms. DUCKWORTH, Mr. DURBIN, Ms. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HAGERTY, Ms. HASSAN, Mr. HAWLEY, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. JOHNSON, Mr. KAINE, Mr. KELLY, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. LUJÁN, Mr. MANCHIN, Mr. MARKEY, Mr. MARSHALL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. OSSOFF, Mr. PADILLA, Mr. PAUL, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROMNEY, Ms. ROSEN, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Mr. SHELBY, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. TUBERVILLE, Mr. VAN HOLLEN, Mr. WARNER, Mr. WARNOCK, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG):

S. Res. 330. A resolution relating to the death of the Honorable Mike Enzi, former

Senator for the State of Wyoming; considered and agreed to.

By Mr. SCHUMER (for himself, Mr. CASSIDY, and Mr. PADILLA):

S. Res. 331. A resolution designating August 11, 2021, as "Hip Hop Celebration Day", designating August 2021 as "Hip Hop Recognition Month", and designating November 2021 as "Hip Hop History Month"; considered and agreed to.

By Ms. SINEMA (for herself, Ms. ERNST, Mr. KELLY, Mr. KING, Mr. DAINES, Mr. BRAUN, and Ms. ROSEN):

S. Con. Res. 11. A concurrent resolution providing for an annual joint hearing of the Committee on the Budget of the Senate and the Committee on the Budget of the House of Representatives to receive a presentation from the Comptroller General of the United States regarding the audited financial statement of the executive branch; to the Committee on the Budget.

## ADDITIONAL COSPONSORS

S. 201

At the request of Ms. ROSEN, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 201, a bill to establish a program ensuring access to accredited continuing medical education for primary care physicians and other health care providers at Federally-qualified health centers and rural health clinics, to provide training and clinical support for primary care providers to practice at their full scope and improve access to care for patients in underserved areas.

S. 375

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 375, a bill to impose requirements on the payment of compensation to professional persons employed in voluntary cases commenced under title III of the Puerto Rico Oversight Management and Economic Stability Act (commonly known as "PROMESA").

S. 610

At the request of Mr. KAINE, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 610, a bill to address behavioral health and well-being among health care professionals.

S. 745

At the request of Ms. KLOBUCHAR, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 745, a bill to make high-speed broadband internet service accessible and affordable to all Americans, and for other purposes.

S. 773

At the request of Mr. THUNE, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Missouri (Mr. HAWLEY) were added as cosponsors of S. 773, a bill to enable certain hospitals that were participating in or applied for the drug discount program under section 340B of the Public Health Service Act prior to the COVID-19 public health emergency to temporarily maintain eligibility for such program, and for other purposes.

S. 805

At the request of Mr. LEE, the names of the Senator from Oklahoma (Mr.

LANKFORD), the Senator from Florida (Mr. SCOTT) and the Senator from Iowa (Ms. ERNST) were added as cosponsors of S. 805, a bill to repeal the wage requirements of the Davis-Bacon Act.

S. 834

At the request of Mr. MENENDEZ, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 834, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 870

At the request of Ms. STABENOW, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 870, a bill to amend title XVIII of the Social Security Act to improve access to mental health services under the Medicare program.

S. 912

At the request of Ms. HIRONO, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 912, a bill to amend title XVIII of the Social Security Act to provide information regarding vaccines for seniors as part of the Medicare & You handbook and to ensure that the treatment of cost sharing for vaccines under Medicare part D is consistent with the treatment of vaccines under Medicare part B, and for other purposes.

S. 968

At the request of Mr. COTTON, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 968, a bill to prohibit the United States Armed Forces from promoting anti-American and racist theories.

S. 1397

At the request of Ms. SMITH, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1397, a bill to amend the Public Health Service Act with respect to the collection and availability of health data with respect to Indian Tribes and Tribal organizations, and for other purposes.

S. 1543

At the request of Ms. HASSAN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1543, a bill to amend the Public Health Service Act to provide best practices on student suicide awareness and prevention training and condition State educational agencies, local educational agencies, and tribal educational agencies receiving funds under section 520A of such Act to establish and implement a school-based student suicide awareness and prevention training policy.

S. 1613

At the request of Ms. DUCKWORTH, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1613, a bill to require the Administrator of the Small

Business Administration to establish a grant program for certain fitness facilities, and for other purposes.

S. 1651

At the request of Mrs. BLACKBURN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 1651, a bill to impose certain measures with respect to Hizballah-affected areas in Latin America and the Caribbean and to impose sanctions with respect to senior foreign political figures in Latin America who support Hizballah, and for other purposes.

S. 1658

At the request of Mr. MERKLEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1658, a bill to amend the Fair Labor Standards Act of 1938 to expand access to breastfeeding accommodations in the workplace, and for other purposes.

S. 1664

At the request of Ms. KLOBUCHAR, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1664, a bill to require the Secretary of Veterans Affairs to take certain actions to improve the processing by the Department of Veterans Affairs of claims for disability compensation for post-traumatic stress disorder, and for other purposes.

S. 1684

At the request of Ms. CORTEZ MASTO, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1684, a bill to strengthen the ability of the Federal Home Loan Bank system to provide critical financing to address the economic crisis caused by the COVID-19 pandemic and to meet the short- and long-term housing and community economic development needs of low-income communities, including Tribal communities, and for other purposes.

S. 1718

At the request of Mr. PADILLA, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1718, a bill to amend the Rosie the Riveter/World War II Home Front National Historical Park Establishment Act of 2000 to provide for additional areas to be added to the park, and for other purposes.

S. 1831

At the request of Mrs. MURRAY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1831, a bill to amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide electronic benefits transfer program for children during school closures, and for other purposes.

S. 1893

At the request of Mr. TESTER, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1893, a bill to amend title XVIII of the Social Security Act to support rural

residency training funding that is equitable for all States, and for other purposes.

S. 1943

At the request of Ms. COLLINS, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1943, a bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under part B of the Medicare program by establishing a minimum payment amount under such part for bone mass measurement.

S. 2013

At the request of Mr. CASEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2013, a bill to provide for the coverage of medically necessary food and vitamins and individual amino acids for digestive and inherited metabolic disorder under Federal health programs and private health insurance, to ensure State and Federal protection for existing coverage, and for other purposes.

S. 2032

At the request of Mrs. SHAHEEN, the names of the Senator from New Jersey (Mr. BOOKER), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Illinois (Ms. DUCKWORTH), the Senator from New Hampshire (Ms. HASSAN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 2032, a bill to extend and modify the Afghan Special Immigrant Visa Program, to postpone the medical exam for aliens who are otherwise eligible for such program, to provide special immigrant status for certain surviving spouses and children, and for other purposes.

S. 2087

At the request of Ms. KLOBUCHAR, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 2087, a bill to amend title 38, United States Code, to expand the membership of the Advisory Committee on Minority Veterans to include veterans who are lesbian, gay, bisexual, transgender, gender diverse, gender non-conforming, intersex, or queer.

S. 2092

At the request of Ms. SMITH, the names of the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 2092, a bill to permanently authorize the Native Community Development Financial Institutions lending program of the Department of Agriculture, and for other purposes.

S. 2233

At the request of Mr. BLUMENTHAL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2233, a bill to establish a grant program for shuttered minor league baseball clubs, and for other purposes.

S. 2261

At the request of Ms. DUCKWORTH, the name of the Senator from Oregon

(Mr. MERKLEY) was added as a cosponsor of S. 2261, a bill to amend the Immigration and Nationality Act to allow certain alien veterans to be paroled into the United States to receive health care furnished by the Secretary of Veterans Affairs.

S. 2265

At the request of Ms. DUCKWORTH, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2265, a bill to require the Secretary of Homeland Security to establish a veterans visa program to permit veterans who have been removed from the United States to return as immigrants, and for other purposes.

S. 2268

At the request of Ms. DUCKWORTH, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2268, a bill to require the Secretary of Homeland Security to identify each alien who is serving, or has served, in the Armed Forces of the United States on the application of any such alien for an immigration benefit or the placement of any such alien in an immigration enforcement proceeding, and for other purposes.

S. 2294

At the request of Mr. SULLIVAN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2294, a bill to require an independent assessment with respect to the Arctic region and establishment of Arctic Security Initiative, and for other purposes.

S. 2324

At the request of Mr. PORTMAN, the names of the Senator from Utah (Mr. ROMNEY) and the Senator from Arizona (Mr. KELLY) were added as cosponsors of S. 2324, a bill to amend the FAST Act to improve the Federal permitting process, and for other purposes.

S. 2406

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2406, a bill to amend the Safe Drinking Water Act to require the Administrator of the Environmental Protection Agency to set maximum contaminant levels for certain chemicals, and for other purposes.

S. 2427

At the request of Mr. WICKER, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 2427, a bill to require the Federal Communications Commission to conduct a study and submit to Congress a report examining the feasibility of funding the Universal Service Fund through contributions supplied by edge providers, and for other purposes.

S. 2476

At the request of Mr. MARKEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2476, a bill to require the Administrator of the Environmental Protection Agency to establish a pilot program for hyperlocal air quality

monitoring projects in environmental justice communities, and for other purposes.

S. 2489

At the request of Mr. COTTON, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 2489, a bill to require the maintenance of the country of origin markings for imported goods produced in the West Bank or Gaza, and for other purposes.

S.J. RES. 10

At the request of Mr. KAINE, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S.J. Res. 10, a joint resolution to repeal the authorizations for use of military force against Iraq, and for other purposes.

S. RES. 275

At the request of Mr. KAINE, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Colorado (Mr. BENNET) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. Res. 275, a resolution acknowledging and apologizing for the mistreatment of, and discrimination against, lesbian, gay, bisexual, and transgender individuals who served the United States in the Armed Forces, the Foreign Service, and the Federal civil service.

S. RES. 303

At the request of Mr. RUBIO, the name of the Senator from Tennessee (Mr. HAGERTY) was added as a cosponsor of S. Res. 303, a resolution supporting the people of Cuba in their demands for freedom and the fulfillment of basic needs and condemning the Communist regime in Cuba.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. WYDEN, Mr. VAN HOLLEN, Mr. CARPER, Ms. HIRONO, Mr. DURBIN, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. MARKEY, Mr. WARNER, Mr. OSSOFF, and Mr. BENNET):

S. 2532. A bill to provide protections for employees of, former employees of, and applicants for employment with Federal agencies, contractors, and grantees whose right to petition or furnish information to Congress is interfered with or denied; to the Committee on Homeland Security and Governmental Affairs.

Mrs. FEINSTEIN: Mr. President, today I am reintroducing legislation to strengthen protections for federal whistleblowers who share valuable information with Congress.

In the last four years, we have seen a major erosion of accountability in Government. From the firing of multiple inspectors general to the willful misinterpretation of whistleblower protection laws, it has become more difficult than ever to keep the Executive branch honest.

Despite these chilling developments, many whistleblowers still come for-

ward to ensure Congress could hold the powerful accountable. For example, in the 116th Congress, Lt. Colonel Alexander Vindman, a senior official at the National Security Council, shared credible information with Congress that the President of the United States tried to entice the Ukrainian President to launch a sham investigation into then-candidate Biden. Vindman's actions directly led to Donald Trump's first impeachment trial, a watershed moment for our democracy.

Whistleblowers like Vindman should be protected from retaliation. Unfortunately, while current law specifies that the right to report to Congress must not to be interfered with or denied, it fails to provide a remedy in the event this happens. As a result, whistleblowers have no meaningful protection from retaliation.

My bill would solve this problem by expanding administrative remedies to all taxpayer-funded employees, including intelligence employees, whose right to report to Congress has been interfered with or denied. It also gives Federal employees the right to file a lawsuit after exhausting administrative remedies, for which they can seek a wide range of relief, including lost wages and reinstatement to their former positions.

Whistleblowers are critical to the proper functioning of government. They enable Congress to conduct oversight, root out waste, fraud, and abuse, and hold accountable those who violate the public trust. It is incumbent on us, as members of Congress, to ensure whistleblowers can report to us without fearing retribution.

I urge my colleagues to support this bill. I also ask unanimous consent that a copy of the bill be included in the RECORD.

S. 2532

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Congressional Whistleblower Protection Act of 2021".

#### SEC. 2. PROTECTIONS FOR COVERED INDIVIDUALS.

Section 7211 of title 5, United States Code, is amended—

(1) by striking "The right of employees" and inserting the following:

"(a) IN GENERAL.—The right of covered individuals"; and

(2) by adding at the end the following:

"(b) REMEDIES.—

"(1) ADMINISTRATIVE REMEDIES.—

"(A) IN GENERAL.—A covered individual with respect to a Federal agency (other than a covered individual described in subparagraph (B), (C), or (D)) who is aggrieved by a violation of subsection (a) may seek corrective action under sections 1214 and 1221 in the same manner as an individual who is aggrieved by a prohibited personnel practice described in section 2302(b)(8).

"(B) FBI EMPLOYEES.—A covered individual with respect to the Federal Bureau of Investigation who is aggrieved by a violation of subsection (a) may seek corrective action under section 2303.

"(C) INTELLIGENCE COMMUNITY EMPLOYEES.—A covered individual with respect to a

covered intelligence community element (as defined in section 1104(a) of the National Security Act of 1947 (50 U.S.C. 3234(a))) who is aggrieved by a violation of subsection (a) may seek corrective action under section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) or subsection (b)(7) or (j) of section 3001 of that Act (50 U.S.C. 3341).

"(D) CONTRACTOR EMPLOYEES.—A covered individual with respect to a Federal agency who is an employee of, former employee of, or applicant for employment with, a contractor, subcontractor, grantee, subgrantee, or personal services contractor (as those terms are used in section 2409 of title 10 and section 4712 of title 41) of the agency and who is aggrieved by a violation of subsection (a) of this section may seek corrective action under section 2409 of title 10 or section 4712 of title 41.

"(E) BURDEN OF PROOF.—The burdens of proof under subsection (e) of section 1221 shall apply to an allegation of a violation of subsection (a) of this section made under subparagraph (A), (B), (C), or (D) of this paragraph in the same manner as those burdens of proof apply to an allegation of a prohibited personnel practice under such section 1221.

"(F) CLASS OF INDIVIDUALS ENTITLED TO SEEK CORRECTIVE ACTION.—The right to seek corrective action under subparagraph (A), (B), (C), or (D) shall apply to a covered individual who is an employee of, former employee of, or applicant for employment with, a Federal agency described in the applicable subparagraph or a contractor, subcontractor, grantee, subgrantee, or personal services contractor (as those terms are used in section 2409 of title 10 and section 4712 of title 41) of such a Federal agency, notwithstanding the fact that a provision of law referenced in the applicable subparagraph does not authorize one or more of those types of covered individuals to seek corrective action.

"(2) PRIVATE RIGHT OF ACTION.—

"(A) IN GENERAL.—If a final decision providing relief for a violation of subsection (a) alleged under subparagraph (A), (B), (C), or (D) of paragraph (1) of this subsection is not issued within 210 days of the date on which the covered individual seeks corrective action under the applicable subparagraph and there is no showing that the delay is due to the bad faith of the covered individual, the covered individual may bring an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over the action without regard to the amount in controversy, for lost wages and benefits, reinstatement, costs and attorney fees, compensatory damages, equitable or injunctive relief, or any other relief that the court considers appropriate.

"(B) JURY TRIAL.—An action brought under subparagraph (A) shall, upon the request of the covered individual, be tried by the court with a jury.

"(C) BURDEN OF PROOF.—The burdens of proof under subsection (e) of section 1221 shall apply to an allegation of a violation of subsection (a) of this section in an action brought under this paragraph in the same manner as those burdens of proof apply to an allegation of a prohibited personnel practice under such section 1221.

"(c) DEFINITIONS.—For purposes of this section—

"(1) the term 'covered individual', with respect to a Federal agency, means an employee of, former employee of, or applicant for employment with—

"(A) the agency; or

"(B) a contractor, subcontractor, grantee, subgrantee, or personal services contractor (as those terms are used in section

2409 of title 10 and section 4712 of title 41) of the agency; and

“(2) the term ‘Federal agency’ means an agency, office, or other establishment in the executive, legislative, or judicial branch of the Federal Government.”

By Mrs. FEINSTEIN (for herself and Mr. PADILLA):

S. 2537. A bill to amend the Internal Revenue Code of 1986 to provide a credit for previously-owned qualified plug-in electric drive motor vehicles; to the Committee on Finance.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the “Affordable EVs for Working Families Act of 2021.”

This bill is an important measure that will ensure more widespread, equitable adoption of electric vehicles by creating a tax credit for buyers of pre-owned electric vehicles, similar to the tax credit that exists for purchasers of new electric vehicles.

Starting now, and over the next several decades, the United States must take swift, decisive action to reduce our carbon emissions—especially from the transportation sector, which makes up one-third of all U.S. carbon emissions.

I am proud to say that California has led the way in the adoption of low- and zero-emission vehicles for several decades by incentivizing the development and purchase of electric and hybrid electric vehicles, and setting high fuel economy standards that 13 States have opted to follow.

According to research released just last month by the Pew Research Center, California has by far the highest share of electric vehicles of any State in the Nation—on average, 12 electric vehicles registered per 1,000 people.

As a result, California now has the largest pre-owned electric vehicle market in the nation. Sales for pre-owned electric vehicles in California have grown significantly in recent years.

However, a study released just last month by Energy Innovation found that for lower-income households, the up-front costs of purchasing an electric vehicle presents an especially large hurdle, despite the long-term cost savings that they offer, such as on gas and maintenance.

Transportation is the second-largest expense for all U.S. households, but presents a particular burden for lower-income households—suggesting that incentives for pre-owned buyers targeted toward lower and middle-income communities can increase adoption of electric vehicles in those communities significantly, and further accelerate overall adoption.

We cannot miss an opportunity to ensure that as we electrify our transportation sector, electric vehicles become an option for all families—not just those who can afford new ones.

My bill would do just that.

My bill would provide a \$2,500 tax credit to purchasers of preowned electric vehicles, similar to the credit already offered to purchasers of new electric vehicles. The credit only applies to

vehicles that cost \$25,000 or less, and would be phased down for buyers whose adjusted gross income exceeds \$75,000 per year for individuals and \$150,000 for joint filers.

My bill also includes critical safeguards such as a vehicle identification number reporting requirements and a 2-year previous ownership requirement to ensure that any attempted fraud is quickly caught.

I would like to thank Congressmen JIMMY GOMEZ who is introducing the House companion to this bill, and has carried this effort in the House, along with Congressman MIKE THOMPSON who included a similar provision in the House clean energy tax incentives package, the GREEN Act.

I would also like to thank the Los Angeles Department of Water and Power, California Air Resources Board, our utilities and other California localities that have led the way on this policy by offering their own rebates for pre-owned electric vehicles.

Now, with the Senate considering historic investments in electric vehicles and charging infrastructure, it is time for the federal government to follow California’s lead and ensure that buyers of pre-owned vehicles receive a tax credit similar to the one for buyers of new EVs.

I urge my colleagues to support this bill. Thank you, Mr. President. I yield the floor.

By Ms. HIRONO (for herself, Mr. WHITEHOUSE, Mrs. MURRAY, and Mr. DURBIN):

S. 2553. A bill to amend title 28, United States Code, to protect employees of the Federal judiciary from discrimination, and for other purposes; to the Committee on the Judiciary.

Ms. HIRONO. Mr. President, I rise today to introduce the Judiciary Accountability Act of 2021. I thank Representatives JOHNSON, SPEIER, NADLER, TORRES, and MACE, along with my co-sponsors, Senators WHITEHOUSE, MURRAY, and DURBIN, for working with me to finally ensure that employees of the Federal judiciary have strong statutory rights and protections against discrimination, sexual harassment, retaliation, and other forms of workplace misconduct.

More than 30,000 people work in the Federal judiciary. As with any organization of this size, the judiciary is not immune from workplace misconduct.

Over the years, however, a variety of factors have worked together to prevent instances of workplace misconduct within the judiciary from coming to light. There is a unique power imbalance between the Federal judges who sit atop this vast organization and the clerks, staffers, and other employees who rely on connections and recommendations to advance their careers. The cloak of confidentiality ensures what happens in chambers stays in chambers. And, perhaps most important, there is a lack of legal recourse available to judicial employees who are

denied even the most fundamental workplace protections. Indeed, the Federal judiciary is one of the few employers—private or public—whose employees are not protected by state or federal civil rights laws.

Despite all these reasons to keep quiet, a number of victims have bravely come forward to report serious harassment by Federal judges over the past several years. In December 2017, six former law clerks and staffers accused Ninth Circuit Judge Alex Kozinski of subjecting them to a range of inappropriate sexual conduct and comments. In September 2019, the Tenth Circuit Judicial Council issued an order finding that District Court Judge Carlos Murguía had harassed multiple employees over a period of years, including by subjecting them to sexually suggestive comments; inappropriate text messages; and excessive, non-work-related contact. In February 2020, a former law clerk to the late-Ninth Circuit Judge Stephen Reinhardt accused the judge of a months-long harassment campaign.

In the face of this egregious misconduct and Congressional pressure, the federal judiciary has taken only small, limited steps to protect its employees. It is not enough.

The Judiciary Accountability Act fills the void left by the judiciary’s inaction and extends to judicial branch employees the same anti-discrimination rights and remedies other government sector employees and private sector workers have had for decades. It also goes further. Among other things, it would create an Office of Judicial Integrity to administer a nationwide, confidential reporting system; establish a Special Counsel for Equal Employment Opportunity empowered to investigate all workplace misconduct complaints; form an Office of Employee Advocacy to assist in judicial branch employees in matters relating to workplace discrimination and harassment; protect whistleblowers by prohibiting retaliation; and establish a comprehensive workplace misconduct prevention program.

These reforms are not only necessary, they are long overdue. I therefore encourage my colleagues to support the Judiciary Accountability Act.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 328—DESIGNATING AUGUST 1, 2021, AS “GOLD STAR CHILDREN’S DAY”

Mr. WICKER (for himself and Mr. MANCHIN) submitted the following resolution; which was considered and agreed to:

#### S. RES. 328

Whereas the recognition of Gold Star Families in the United States dates back to World War I, when the families of fallen service members displayed a service flag in the window of their homes with a gold star;

Whereas, in 1936, President Franklin D. Roosevelt signed into law legislation declaring Gold Star Mother's Day, a national observance honoring the mothers of fallen service members annually on the last Sunday of September;

Whereas, since 2010, the Senate has honored Gold Star Spouses by resolution annually on April 5, recognizing the unique sacrifices made by spouses of fallen service members;

Whereas thousands of sons and daughters of military families have lost mothers or fathers who served in the Armed Forces and also deserve national recognition for the burden and legacy they carry; and

Whereas no date has existed to specifically recognize the children of fallen service members of the United States as part of a national debt of gratitude that the people of the United States owe to the service members who sacrificed all in protecting the freedom of the United States and the people of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates August 1, 2021, as "Gold Star Children's Day";

(2) honors the sacrifices and hardships of the children of fallen service members; and

(3) encourages the people of the United States to observe Gold Star Children's Day in support of children of the fallen men and women of the Armed Forces of the United States.

#### SENATE RESOLUTION 329—AMENDING THE ELIGIBILITY CRITERIA FOR THE SENATE EMPLOYEE CHILD CARE CENTER

Ms. KLOBUCHAR (for herself and Mrs. BLACKBURN) submitted the following resolution; which was considered and agreed to:

S. RES. 329

*Resolved*,

#### SECTION 1. SENATE EMPLOYEE CHILD CARE CENTER.

(a) DEFINITIONS.—In this section—

(1) the term "Board" means the Board of Directors of the Center;

(2) the term "Center" means the Senate Employee Child Care Center;

(3) the term "Congressional employee" means a Congressional employee, as defined in section 2107 of title 5, United States Code, who is not an employee of the Senate or an employee of the Center;

(4) the term "employee of the Senate" has the meaning given that term in section 207(e)(9) of title 18, United States Code; and

(5) the term "Federal employee" means an employee, as defined in section 2105 of title 5, United States Code, who is not an employee of the Senate, an employee of the Center, or a Congressional employee.

(b) REIMBURSEMENT.—For fiscal year 2022, and each fiscal year thereafter, the Secretary of the Senate shall, from amounts in the appropriations account "Miscellaneous Items" within the contingent fund of the Senate, reimburse the Center for the cost of the basic pay paid to the Executive Director and the cost of the basic pay paid to the Assistant Director of the Center.

(c) ENROLLMENT.—

(1) IN GENERAL.—As a condition of receiving reimbursement under subsection (b), not later than 120 days after the date on which no parent or guardian of a child enrolled at the Center is serving in a position as an employee of the Senate, an employee of the Center, a Congressional employee, or a Federal employee, the Center shall terminate the enrollment of the child at the Center.

(2) ORDER.—As a condition of receiving reimbursement under subsection (b), the Center shall provide enrollment—

(A) first, to a child of an individual serving as a Senate employee or as an employee of the Center;

(B) second, to a child of an individual serving as a Congressional employee; and

(C) third, if there is an enrollment slot available in the Center, no child of an individual serving as an employee of the Senate, as an employee of the Center, or as a Congressional employee accepts the slot, and no currently enrolled child is ready to transition to the class in which the slot is available, to a child of an individual serving as a Federal employee.

(3) EFFECTIVE DATE; APPLICATION.—

(A) IN GENERAL.—Paragraph (1) shall take effect on the date that is 180 days after the date of adoption of this resolution.

(B) APPLICATION TO EMPLOYEES SEPARATING FROM SERVICE BEFORE EFFECTIVE DATE.—For purposes of applying paragraph (1) to a parent or guardian of a child enrolled at the Center who ceases serving in a position as a Congressional employee, an employee of the Center, or Federal employee before the date on which paragraph (1) takes effect, the parent or guardian shall be deemed to have separated from such service on the date on which paragraph (1) takes effect.

#### SENATE RESOLUTION 330—RELATING TO THE DEATH OF THE HONORABLE MIKE ENZI, FORMER SENATOR FOR THE STATE OF WYOMING

Mr. BARRASSO (for himself, Ms. LUMMIS, Mr. SCHUMER, Mr. MCCONNELL, Ms. BALDWIN, Mr. BENNET, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mr. BRAUN, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAMER, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Ms. DUCKWORTH, Mr. DURBIN, Ms. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HAGERTY, Ms. HASSAN, Mr. HAWLEY, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. JOHNSON, Mr. KAINE, Mr. KELLY, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. LUJÁN, Mr. MANCHIN, Mr. MARKEY, Mr. MARSHALL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. OSSOFF, Mr. PADILLA, Mr. PAUL, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROMNEY, Ms. ROSEN, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Mr. SHELBY, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. TUBERVILLE, Mr. VAN HOLLEN, Mr. WARNER, Mr. WARNOCK, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG) submitted the following resolution; which was considered and agreed to:

S. RES. 330

Whereas Mike Enzi was born in Bremerton, Washington, where his father was serving in

the naval shipyards during World War II, and was raised in Thermopolis and Sheridan, Wyoming;

Whereas Mike Enzi, who never ceased his involvement with the Boy Scouts of America, was an Eagle Scout and a recipient of the Distinguished Eagle Scout Award;

Whereas Mike Enzi earned a bachelor's degree in accounting from George Washington University in 1966 and a master's degree in retail marketing from the University of Denver in 1968;

Whereas Mike Enzi served in the Wyoming Air National Guard from 1967 to 1973;

Whereas, in 1969, Mike Enzi married Diana Buckley, who then moved to Gillette, Wyoming, together to—

(1) expand his father's shoe business, NZ Shoes;

(2) raise their 3 children, Amy, Brad, and Emily; and

(3) spend time as the proud grandparents of Megan, Allison, Trey, and Lilly;

Whereas Mike Enzi was an accomplished fly fisherman, having achieved, in 2015, the dream of every fly fisherman by completing his Wyoming "Cutt-Slam";

Whereas, in 1974, Mike Enzi began his more than 40 years of elected public service on behalf of the people of Wyoming, including—

(1) 2 terms as Mayor of Gillette;

(2) 2 terms as a member of the Wyoming House of Representatives;

(3) 2 terms as a member of the Wyoming Senate; and

(4) 4 terms as a member of the United States Senate, where he served for 24 years after first being elected in 1996;

Whereas Mike Enzi served as Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and, in 2015, became the first accountant to chair the Committee on the Budget of the Senate, where he worked to enact comprehensive tax reform;

Whereas Mike Enzi championed—

(1) efforts to ensure a quality education for all; and

(2) initiatives to improve workforce development;

Whereas Mike Enzi expanded access to affordable, quality health care and spearheaded the most significant pension reform in 30 years, securing the retirements of millions of individuals in the United States;

Whereas Mike Enzi focused on—

(1) the soaring national debt;

(2) reforming the Federal budget process;

(3) improving mine safety;

(4) helping end the AIDS epidemic in Africa;

(5) passing legislation to improve mental health parity; and

(6) championing Wyoming and coal country;

Whereas Mike Enzi followed the "80/20" rule when legislating, focusing efforts on passing legislation on the 80 percent of an issue on which agreement could be reached;

Whereas Mike Enzi successfully passed more than 100 bills that were signed into law;

Whereas Mike Enzi served with intelligence, dignity, and grace, and never wavered in his commitment to God, family, country, and Wyoming; and

Whereas Mike Enzi was known by many as the moral compass of the Senate, and lived by the mission statement, "Doing What Is Right, Doing Our Best, Treating Others as They Wish to be Treated": Now, therefore, be it

*Resolved*, That—

(1) the Senate—

(A) has heard with profound sorrow and deep regret the announcement of the death of the Honorable Mike Enzi, former Senator for the State of Wyoming; and

(B) respectfully requests that the Secretary of the Senate—



(i) communicate this resolution to the House of Representatives; and

(ii) transmit an enrolled copy of this resolution to the family of the Honorable Mike Enzi; and

(2) when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Mike Enzi.

**SENATE RESOLUTION 331—DESIGNATING AUGUST 11, 2021, AS “HIP HOP CELEBRATION DAY”, DESIGNATING AUGUST 2021 AS “HIP HOP RECOGNITION MONTH”, AND DESIGNATING NOVEMBER 2021 AS “HIP HOP HISTORY MONTH”**

Mr. SCHUMER (for himself, Mr. CASIDY, and Mr. PADILLA) submitted the following resolution; which was considered and agreed to:

**S. RES. 331**

Whereas, on August 11, 1973, at a “Back To School Jam” organized by his sister Cindy Campbell and held at the recreation room of 1520 Sedgwick Avenue in the Bronx, New York, Clive “DJ Kool Herc” Campbell introduced his innovative style of disk jockeying and, together with the master of ceremonies engaging the crowd with rap on the microphone while partygoers known as B-boys and B-girls danced, introduced a new style, later known as “Hip Hop”, which combined the elements of a disk jockey (commonly known as a “DJ”), a master of ceremonies (commonly known as an “MC”), music, art, fashion, and dance;

Whereas, from its humble beginnings in New York City, the music, lyricism, dance, fashion, and art of Hip Hop has become a culture, now found in communities across the United States, and has long been a worldwide phenomenon;

Whereas the art and culture of Hip Hop is an original American creation;

Whereas Hip Hop and other genres of music, such as jazz from New Orleans, Louisiana, blues from Mississippi, country from the South, and gospel, soul, rock and roll, and indigenous music from across the United States, have all transcended boundaries;

Whereas the Hip Hop genre has been reinvented often over the years since 1973, reflecting the State, city, and region of the music, from G-funk and Hyphy on the West Coast, to Bass and Trap in the South, to Drill in the Midwest, to many other sounds from coast to coast and from abroad, including the New School, which continues that trend;

Whereas Hip Hop artists and supporters, originally of African heritage, now transcend many different ages, ethnicities, religions, locations, political affiliations, and socioeconomic statuses, which demonstrates the melting-pot quality of Hip Hop art and culture;

Whereas the art and culture of Hip Hop have been adapted in many innovative forms that are inspirational, challenging, humorous, thought-provoking, and spiritual;

Whereas Hip Hop has provided opportunities for extracurricular activities, youth counseling, creative outlets, physical fitness, vocabulary exercises, poetry, analytical thinking, entertainment, employment, and economic impact, and has become an industry that generates more than a billion dollars annually;

Whereas Hip Hop art, education, and culture have positive effects on society;

Whereas, on August 11, 2021, the Federal Government, States, cities, and towns will observe Hip Hop Celebration Day;

Whereas, during the month of August 2021, the Federal Government, States, cities, and

towns will observe Hip Hop Recognition Month; and

Whereas, during the month of November 2021, the Federal Government, States, cities, and towns will observe Hip Hop History Month: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates August 11, 2021, as “Hip Hop Celebration Day”;;

(2) designates the month of August 2021 as “Hip Hop Recognition Month”;;

(3) designates the month of November 2021 as “Hip Hop History Month”;;

(4) recognizes the contributions of Hip Hop to art and culture;

(5) encourages Senators to plan appropriate activities that support the objective of the “Back to School Jam” of August 11, 1973; and

(6) encourages local governments in the United States to build partnerships with local Hip Hop entities and other members of the creative arts and music communities.

**SENATE CONCURRENT RESOLUTION 11—PROVIDING FOR AN ANNUAL JOINT HEARING OF THE COMMITTEE ON THE BUDGET OF THE SENATE AND THE COMMITTEE ON THE BUDGET OF THE HOUSE OF REPRESENTATIVES TO RECEIVE A PRESENTATION FROM THE COMPTROLLER GENERAL OF THE UNITED STATES REGARDING THE AUDITED FINANCIAL STATEMENT OF THE EXECUTIVE BRANCH**

Ms. SINEMA (for herself, Ms. ERNST, Mr. KELLY, Mr. KING, Mr. DAINES, Mr. BRAUN, and Ms. ROSEN) submitted the following concurrent resolution; which was referred to the Committee on the Budget:

**S. CON. RES. 11**

*Resolved by the Senate (the House of Representatives concurring),*

**SECTION 1. SHORT TITLE.**

This resolution may be cited as the “Fiscal State of the Nation Resolution”.

**SEC. 2. ANNUAL JOINT HEARING OF BUDGET COMMITTEES TO RECEIVE A PRESENTATION BY THE COMPTROLLER GENERAL.**

(a) IN GENERAL.—Not later than 45 days (excluding Saturdays, Sundays, and holidays) after the date on which the Secretary of the Treasury submits to Congress the audited financial statement required under paragraph (1) of section 331(e) of title 31, United States Code, on a date agreed upon by the chairmen of the Budget Committees and the Comptroller General of the United States, the chairmen shall conduct a joint hearing to receive a presentation from the Comptroller General—

(1) reviewing the findings of the audit required under paragraph (2) of such section; and

(2) providing, with respect to the information included by the Secretary in the report accompanying such audited financial statement, an analysis of the financial position and condition of the Federal Government, including financial measures (such as the net operating cost, income, budget deficits, or budget surpluses) and sustainability measures (such as the long-term fiscal projection or social insurance projection) described in such report.

(b) PRESENTATION OF STATEMENT IN ACCORDANCE WITH GAO STRATEGIES AND MEANS.—The Comptroller General of the United States shall ensure that the presen-

tation at each joint hearing conducted under subsection (a) is made in accordance with the Strategies and Means of the Government Accountability Office, to ensure that the presentation will provide professional, objective, fact-based, nonpartisan, nonideological, fair, and balanced information to the Members attending the hearing.

**(c) RULES APPLICABLE TO HEARING.—**

(1) IN GENERAL.—Each joint hearing conducted by the chairmen of the Budget Committees under subsection (a) shall be conducted in accordance with Standing Rules of the Senate and the Rules of the House of Representatives which apply to such a hearing, including the provisions requiring hearings conducted by committees to be open to the public, including to radio, television, and still photography coverage.

(2) PERMITTING PARTICIPATION BY SENATORS AND MEMBERS NOT SERVING ON BUDGET COMMITTEES.—Notwithstanding any provision of the Standing Rules of the Senate or the Rules of the House of Representatives, any Senator and any Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) may participate in a joint hearing under subsection (a) in the same manner and to the same extent as a Senator or Member of the House of Representatives who is a member of either of the Budget Committees.

(d) DEFINITION.—In this section, the term “Budget Committees” means the Committee on the Budget of the Senate and the Committee on the Budget of the House of Representatives.

(e) EFFECTIVE DATE.—The requirement under subsection (a) shall apply with respect to any audited financial statement under section 331(e)(1) of title 31, United States Code, submitted on or after the date of adoption of this resolution.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 2123. Mr. LEAHY (for himself and Mr. SHELBY) proposed an amendment to the bill H.R. 3237, making emergency supplemental appropriations for the fiscal year ending September 30, 2021, and for other purposes.

SA 2124. Mr. COTTON proposed an amendment to amendment SA 2123 proposed by Mr. LEAHY (for himself and Mr. SHELBY) to the bill H.R. 3237, *supra*.

SA 2125. Mr. HEINRICH (for Mr. PETERS) proposed an amendment to the bill S. 231, to direct the Administrator of the Federal Emergency Management Agency to develop guidance for firefighters and other emergency response personnel on best practices to protect them from exposure to PFAS and to limit and prevent the release of PFAS into the environment, and for other purposes.

**TEXT OF AMENDMENTS**

**SA 2123.** Mr. LEAHY (for himself and Mr. SHELBY) proposed an amendment to the bill H.R. 3237, making emergency supplemental appropriations for the fiscal year ending September 30, 2021, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2021, and for other purposes, namely:



## TITLE I

DEPARTMENT OF DEFENSE  
MILITARY PERSONNEL

## NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for “National Guard Personnel, Army”, \$231,000,000, to respond to the events at the United States Capitol Complex on January 6, 2021, and for related purposes: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for “National Guard Personnel, Air Force”, \$28,900,000, to respond to the events at the United States Capitol Complex on January 6, 2021, and for related purposes: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY  
NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Army National Guard”, \$218,500,000 to respond to the events at the United States Capitol Complex on January 6, 2021, and for related purposes: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL  
GUARD

For an additional amount for “Operation and Maintenance, Air National Guard”, \$42,500,000 to respond to the events at the United States Capitol Complex on January 6, 2021, and for related purposes: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OVERSEAS HUMANITARIAN, DISASTER, AND  
CIVIC AID

For an additional amount for “Overseas Humanitarian, Disaster, and Civic Aid”, \$500,000,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## TITLE II

DEPARTMENT OF HEALTH AND HUMAN  
SERVICESADMINISTRATION FOR CHILDREN AND FAMILIES  
REFUGEE AND ENTRANT ASSISTANCE

For an additional amount for “Refugee and Entrant Assistance”, \$25,000,000, to remain available until September 30, 2022, for necessary expenses for refugee and entrant assistance activities authorized by section 414 of the Immigration and Nationality Act: *Provided*, That such amounts shall be for such activities for Afghan individuals within the United States who have been granted special immigrant status as described in section 602(b)(8) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note): *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## TITLE III

LEGISLATIVE BRANCH  
SENATECONTINGENT EXPENSES OF THE SENATE  
SERGEANT AT ARMS AND DOORKEEPER OF THE  
SENATE

For an additional amount for “Sergeant at Arms and Doorkeeper of the Senate”, \$7,832,856, to remain available until September 30, 2026, to prevent, prepare for, and respond to coronavirus: *Provided*, That of such amount, such sums as necessary may be used to restore amounts, either directly or through reimbursement, for obligations incurred for the same purposes by the Sergeant at Arms and Doorkeeper of the Senate prior to the date of the enactment of this Act: *Provided further*, That such amount shall be allocated in accordance with a spending plan submitted to the Committee on Appropriations of the Senate: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## HOUSE OF REPRESENTATIVES

PAYMENTS TO WIDOWS AND HEIRS OF  
DECEASED MEMBERS OF CONGRESS

For payment to Susan M. Wright, widow of Ronald Wright, late a Representative from the State of Texas, \$174,000.

For payment to the heirs at law of Alcee Hastings, late a Representative from the State of Florida, \$174,000.

## ALLOWANCES AND EXPENSES

## (INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Allowances and Expenses”, \$11,650,000, to remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus, which shall be for necessary expenses for business continuity and disaster recovery: *Provided*, That of such amount, such sums as necessary may be used to restore amounts, either directly or through reimbursement, for obligations incurred for the same purposes by the Sergeant at Arms of the House of Representatives prior to the date of the enactment of this Act: *Provided further*, That such amount shall be allocated in accordance with a spending plan submitted to and approved by the Committee on Appropriations of the House of Representatives: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## CAPITOL POLICE

## SALARIES

For an additional amount for “Salaries”, \$37,495,000, to remain available until September 30, 2022, to respond to the events at the United States Capitol on January 6, 2021, and for related purposes: *Provided*, That of such amount, such sums as necessary may be used to restore amounts, either directly or through reimbursement, for obligations incurred for the same purposes by the Capitol Police prior to the date of the enactment of this Act: *Provided further*, That of such amount, \$3,600,000 may remain available until expended for retention bonuses: *Provided further*, That of such amount, up to \$6,900,000 shall be made available for hazard pay for employees of the Capitol Police: *Provided further*, That of such amount, \$1,361,300 shall be made available for the wellness program for the United States Capitol Police: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## GENERAL EXPENSES

## (INCLUDING TRANSFER OF FUNDS)

For an additional amount for “General Expenses”, \$33,169,000, to remain available until September 30, 2022, to respond to the events at the United States Capitol on January 6, 2021, and for related purposes: *Provided*, That of such amount, such sums as necessary may be used to restore amounts, either directly or through reimbursement, for obligations incurred for the same purposes by the Capitol Police prior to the date of the enactment of this Act: *Provided further*, That of such amount, \$2,628,000 shall remain available until expended for physical protection barriers and various civil disturbance unit equipment: *Provided further*, That amounts provided under this heading in this Act for physical protection barriers may be transferred to and merged with the Capitol Police Building and Grounds Account of the Architect of the Capitol: *Provided further*, That of such amount, not less than \$5,000,000 shall be made available for reimbursable agreements with State and local law enforcement agencies and not less than \$4,800,000 shall be available for protective details for Members of Congress, including Delegates and the Resident Commissioner to the Congress: *Provided further*, That of such amount, up to \$2,500,000 may be transferred to “Department of Justice—United States Marshals Service—Salaries and Expenses” for the purpose of reimbursements for providing peer-to-peer and group counseling services to the Capitol Police and training and technical and related assistance necessary to establish a peer-to-peer and group counseling program within the Capitol Police: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for “General Expenses”, \$800,000, to remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus: *Provided*, That of such amount, such sums as necessary may be used to restore amounts, either directly or through reimbursement, for obligations incurred for the same purposes by the Capitol Police prior to the date of the enactment of this Act: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES CAPITOL POLICE MUTUAL AID  
REIMBURSEMENTS

For an additional amount for “United States Capitol Police Mutual Aid Reimbursements”, \$35,396,000, to remain available until September 30, 2026, for reimbursements for mutual aid and related training, including mutual aid and training provided under the agreements described in section 7302 of Public Law 108-458: *Provided*, That of such amount, up to \$9,096,000 is available to be used for reimbursement to the United States Capitol Police’s primary local law enforcement partners for mutual aid provided in response to the events of January 6, 2021: *Provided further*, That obligation of the funds made available under this heading in this Act be subject to notification to the Chairmen and Ranking Members of the Committees on Appropriations of both Houses of Congress, the Senate Committee on Rules and Administration, and the Committee on House Administration of the amount and purpose of the expense within 15 days of obligation: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

# ADMINISTRATIVE PROVISIONS WELLNESS PROGRAM

SEC. 301. (a) APPLICATION OF LAW.—The wellness program of the United States Capitol Police shall be known and designated as the “Howard C. Liebengood Center for Wellness”.

(b) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2021 and each succeeding fiscal year.

## CAPITOL POLICE SALARY CAP ADJUSTMENT

SEC. 302. For the purposes of administering pay during calendar year 2021, the maximum annual payable rate for any member or civilian employee of the Capitol Police whose compensation includes overtime pay under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) shall be set at Executive Schedule II at \$199,300. Excluded from this limitation for calendar year 2021 shall be retention bonuses and hazard bonuses related to the events of January 6th.

## ARCHITECT OF THE CAPITOL

### CAPITAL CONSTRUCTION AND OPERATIONS

For an additional amount for “Capital Construction and Operations”, \$21,869,069, to remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus, for necessary expenses of the Architect of the Capitol to supplement the funding made available in Public Law 116-136, as amended by section 159(3) of Public Law 116-159, and for the same purposes; and for related purchases for Congressional offices, including in Congressional Districts and State Offices, wherever located: *Provided*, That any funds transferred by the Architect to restore amounts, either directly or through reimbursement, for obligations incurred for the purposes provided herein prior to the date of enactment of this Act shall be merged with and made available for the same purposes, and period of availability, as the appropriations to which the funds are transferred: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

### CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

#### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Capitol Police Buildings, Grounds and Security”, \$300,000,000, to remain available until September 30, 2023, to respond to the events at the United States Capitol on January 6, 2021: *Provided*, That of such amount \$283,000,000 shall be for necessary upgrade or replacement of windows and doors in the Capitol Building and the House of Representatives and Senate office buildings on the Capitol grounds, as well as any related work to harden or enhance physical security of such structures: *Provided further*, That of such amount, \$17,000,000 shall be for the purchase and installation of cameras at the Senate and House of Representatives office buildings for the purposes of safety and security: *Provided further*, That amounts necessary for the purpose in the preceding proviso may be transferred between the Architect of the Capitol and the United States Capitol Police, as needed: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## GENERAL PROVISIONS—THIS TITLE

SEC. 310. None of the funds made available in this or any other Act in prior fiscal years, this fiscal year, or any fiscal year thereafter may be used to install permanent, above-

ground fencing around the perimeter, or any portion thereof, of the United States Capitol Grounds, as described in section 5102 of title 40, United States Code.

SEC. 311. For fiscal years 2021 and 2022, subject to the approval of the Chairs and Ranking Members of Committee on Appropriations of the House of Representatives and the Senate, the Architect of the Capitol may accept contributions of, and may incur obligations and make expenditures out of available appropriations for, supplies, products, and services necessary to respond to an emergency involving the safety of human life or the protection of property, as determined or declared by the Capitol Police Board, which may be provided for the use of any office which is located within any building, grounds, or facility for which the Architect of the Capitol is responsible for the maintenance, care, and operation, on a reimbursable or non-reimbursable basis subject to the availability of funds.

## TITLE IV

### BILATERAL ECONOMIC ASSISTANCE

#### FUNDS APPROPRIATED TO THE PRESIDENT

##### DEPARTMENT OF STATE

##### MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for “Migration and Refugee Assistance”, \$100,000,000, to remain available until expended, to address humanitarian needs in Afghanistan and to assist Afghan refugees: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For an additional amount for “United States Emergency Refugee and Migration Assistance Fund”, \$500,000,000, to remain available until expended, notwithstanding section 2(c)(2) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)(2)): *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## GENERAL PROVISIONS—THIS TITLE

### EXTENSION AND MODIFICATION OF THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM

SEC. 401. (a) Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A) by amending clause (ii) to read as follows:

“(ii) was or is employed in Afghanistan on or after October 7, 2001, for not less than 1 year—

“(I) by, or on behalf of, the United States Government; or

“(II) by the International Security Assistance Force (or any successor name for such Force) in a capacity that required the alien—

“(aa) while traveling off-base with United States military personnel stationed at the International Security Assistance Force (or any successor name for such Force), to serve as an interpreter or translator for such United States military personnel; or

“(bb) to perform activities for the United States military personnel stationed at International Security Assistance Force (or any successor name for such Force);”;

(B) in subparagraph (D)(ii)(I)(bb)—

(i) in the matter preceding subitem (AA), by inserting “per denial or revocation” after “written appeal”; and

(ii) in subitem (AA), by inserting “or thereafter at the discretion of the Secretary of State” after “in writing”;

(2) in paragraph (3)(F)—

(A) in the subparagraph heading, by striking “2021” and inserting “2022”;

(B) in the matter preceding clause (i)—

(i) by striking “exhausted,” and inserting “exhausted,”; and

(ii) by striking “26,500” and inserting “34,500”;

(C) in clause (i), by striking “December 31, 2022” and inserting “December 31, 2023;”;

(D) in clause (ii), by striking “December 31, 2022” and inserting “December 31, 2023;”;

(3) in paragraph (4)(A), by inserting “, including Chief of Mission approval,” after “so that all steps”; and

(4) in paragraph (13), in the matter preceding subparagraph (A), by striking “January 31, 2023” and inserting “January 31, 2024”.

(b) EMERGENCY REQUIREMENT.—The amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

### WAIVER OF MEDICAL EXAMINATION FOR AFGHAN ALLIES

SEC. 402. (a) AUTHORIZATION.—The Secretary of State and the Secretary of Homeland Security may jointly issue a blanket waiver of the requirement that aliens described in section 602(b)(2) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101) undergo a medical exam under section 221(d) of the Immigration and Nationality Act (8 U.S.C. 1201(d)), or any other applicable provision of law, prior to issuance of an immigrant visa or admission to the United States.

(b) DURATION.—A waiver under subsection (a) shall be for a period of 1 year, and, subject to subsection (g), may be extended by the Secretary of State and Secretary of Homeland Security for additional periods, each of which shall not exceed 1 year.

(c) NOTIFICATION.—Upon exercising the waiver authority under subsection (a), or the authority to extend a waiver under subsection (b), the Secretary of State and the Secretary of Homeland Security shall notify the appropriate congressional committees.

(d) REQUIREMENT FOR MEDICAL EXAMINATION AFTER ADMISSION.—

(1) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Secretary of Health and Human Services, shall establish procedures to ensure, to the greatest extent practicable, that any alien who receives a waiver of the medical examination requirement under this section completes such an exam not later than 30 days after the date on which the alien is admitted to the United States.

(2) CONDITIONAL BASIS FOR STATUS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, an alien who receives a waiver of the medical examination requirement under this section shall be considered, at the time of admission to the United States, as an alien lawfully admitted for permanent residence on a conditional basis.

(B) REMOVAL OF CONDITIONS.—The Secretary of Homeland Security shall remove the conditional basis of the alien's status upon the Secretary's confirmation that such alien has completed the medical examination and is not inadmissible under section 212(a)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(1)(A)).

(3) REPORT.—Not later than 1 year after the date on which the waiver authority under subsection (a) is exercised, or such waiver is extended under subsection (b), as applicable, the Secretary of Homeland Security, in consultation with the Secretary of Health and Human Services, shall submit to the appropriate congressional committees a report on the status of medical examinations required under paragraph (1), including—

(A) the number of pending and completed examinations; and

(B) the number of aliens who have failed to complete the medical examination within the 30-day period after the date of such aliens' admission.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on the Judiciary, the Committee on Foreign Relations, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Armed Services, the Committee on the Judiciary, the Committee on Foreign Affairs, and the Committee on Homeland Security of the House of Representatives.

(f) RULE OF CONSTRUCTION.—Nothing in this Act may be construed to prevent the Secretary of State, the Secretary of Homeland Security, the Secretary of Defense, or the Secretary of Health and Human Services from adopting appropriate measures to prevent the spread of communicable diseases, including COVID-19, to the United States.

(g) SUNSET.—The authority under subsections (a) and (b) expires on the date that is 3 years after the date of enactment of this Act.

(h) EMERGENCY REQUIREMENT.—The amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### SPECIAL IMMIGRANT STATUS FOR CERTAIN SURVIVING SPOUSES AND CHILDREN

SEC. 403. (a) IMMIGRATION AND NATIONALITY ACT.—Section 101(a)(27)(D) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(D)) is amended—

(1) by striking “an immigrant who is an employee” and inserting “an immigrant who—

“(i) is an employee”; and

(2) by striking “grant such status;” and inserting “grant such status; or

“(ii) is the surviving spouse or child of an employee of the United States Government abroad: *Provided*, That the employee performed faithful service for a total of not less than 15 years or was killed in the line of duty;”.

(b) AFGHAN ALLIES PROTECTION ACT OF 2009.—Section 602(b)(2)(C) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in clause (ii), by redesignating subclauses (I) and (II) as items (aa) and (bb), respectively, and moving such items 2 ems to the right;

(2) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and moving such subclauses 2 ems to the right;

(3) in the matter preceding subclause (I), as redesignated, by striking “An alien is described” and inserting the following:

“(I) IN GENERAL.—An alien is described”;

(4) in clause (i)(I), as redesignated, by striking “who had a petition for classification approved” and inserting “who had submitted an application to the Chief of Mission”; and

(5) by adding at the end the following:

“(II) EMPLOYMENT REQUIREMENTS.—An application by a surviving spouse or child of a principal alien shall be subject to employment requirements set forth in subparagraph (A) as of the date of the principal alien's filing of an application for the first time, or if no application has been filed, the employment requirements as of the date of the principal alien's death.”.

(c) REFUGEE CRISIS IN IRAQ ACT OF 2007.—Section 1244(b)(3) of the Refugee Crisis in

Iraq Act of 2007 (8 U.S.C. 1157 note) is amended—

(1) by striking “described in subsection (b)” and inserting “in this subsection”;

(2) in subparagraph (B), by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and moving such subclauses 2 ems to the right;

(3) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and moving such clauses 2 ems to the right;

(4) in the matter preceding clause (i), as redesignated, by striking “An alien is described” and inserting the following:

“(A) IN GENERAL.—An alien is described”;

(5) in subparagraph (A)(i), as redesignated, by striking “who had a petition for classification approved” and inserting “who submitted an application to the Chief of Mission”; and

(6) by adding at the end the following:

“(B) EMPLOYMENT REQUIREMENTS.—An application by a surviving spouse or child of a principal alien shall be subject to employment requirements set forth in paragraph (1) as of the date of the principal alien's filing of an application for the first time, or if the principal alien did not file an application, the employment requirements as of the date of the principal alien's death.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall be effective on June 30, 2021, and shall have retroactive effect.

(e) EMERGENCY REQUIREMENT.—The amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### CONVERSION OF PETITIONS FOR SPECIAL IMMIGRANT STATUS FOR CERTAIN IRAQIS

SEC. 404. (a) Section 2 of Public Law 110-242 (8 U.S.C. 1101 note) is amended by striking subsection (b) and inserting the following:

“(b) DURATION.—The authority under subsection (a) shall expire on the date on which the numerical limitation specified under section 1244 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 8 U.S.C. 1157 note) is reached.”.

(b) EMERGENCY REQUIREMENT.—The amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### TITLE V

##### DEPARTMENT OF JUSTICE

##### STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

##### OFFICE OF JUSTICE PROGRAMS

##### STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For an additional amount for “State and Local Law Enforcement Assistance”, \$1,100,000, to remain available until September 30, 2022, for the sole purpose of restoring amounts, either directly or through reimbursement, for obligations incurred for extraordinary law enforcement and related costs directly associated with protection of the President-elect from November 4, 2020 until the inauguration of the President-elect as President: *Provided*, That such reimbursement shall be provided only for costs that a State or local agency can document as being over and above the cost of normal law enforcement operations and as being directly attributable to the provision of protection described herein: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### TITLE VI

##### GENERAL PROVISIONS—THIS ACT

SEC. 601. Each amount appropriated or made available by this Act is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 603. Unless otherwise provided for by this Act, the additional amounts appropriated by this Act to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2021.

SEC. 604. Except for funds used to restore amounts, either directly or through reimbursement, for obligations incurred prior to the date of the enactment of this Act, and notwithstanding any other provision of law, funds made available in this Act shall only be used for the purposes specifically described herein.

SEC. 605. In this Act, the term “coronavirus” means SARS-CoV-2 or another coronavirus with pandemic potential.

SEC. 606. Each amount designated in this Act by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded or transferred, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 607. Any amount appropriated by this Act, designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and subsequently so designated by the President, and transferred pursuant to transfer authorities provided by this Act shall retain such designation.

This Act may be cited as the “Emergency Security Supplemental Appropriations Act, 2021.”

**SA 2124.** Mr. COTTON proposed an amendment to amendment SA 2123 proposed by Mr. LEAHY (for himself and Mr. SHELBY) to the bill H.R. 3237, making emergency supplemental appropriations for the fiscal year ending September 30, 2021, and for other purposes; as follows:

On page 17, between lines 2 and 3, insert the following:

(c) Report to Congress.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate congressional committees a report, including a classified annex, if necessary, on the Afghan special immigrant visa program as described in Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) and Section 1059 of the National Defense Authorization Act of 2006 (8 U.S.C. 1101 note).

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The total number of visas issued under such program, disaggregated by fiscal year.

(B) With respect to principal aliens issued special immigrant visas under such program, a description of the types of roles performed for which such aliens earned eligibility for such visas.

(C) Information regarding the average processing times for visa applicants under such program, disaggregated by the fiscal year in which visa applications under the program were submitted.

(D) The number of individuals who have pending applications for visas under such program, including—

(1) The number of individuals approved of the total number of applications processed by the Chief of Mission; and

(2) The number of successful appeals of the total number of application appeals filed.

(E) The estimated total number of individuals who have performed the requisite employment to apply for a visa under such program, but who have not yet applied for or received a visa, including a description of the methodology used to create such an estimate.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(A) the Committee on Appropriations, the Committee on Armed Services, the Committee on the Judiciary, the Committee on Foreign Relations, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, the Committee on the Judiciary, the Committee on Foreign Affairs, and the Committee on Homeland Security of the House of Representatives.

**SA 2125.** Mr. HEINRICH (for Mr. PETERS) proposed an amendment to the bill S. 231, to direct the Administrator of the Federal Emergency Management Agency to develop guidance for firefighters and other emergency response personnel on best practices to protect them from exposure to PFAS and to limit and prevent the release of PFAS into the environment, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Protecting Firefighters from Adverse Substances Act” or the “PFAS Act”.

#### SEC. 2. GUIDANCE ON HOW TO PREVENT EXPOSURE TO AND RELEASE OF PFAS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security, in consultation with the Administrator of the United States Fire Administration, the Administrator of the Environmental Protection Agency, the Director of the National Institute for Occupational Safety and Health, and the heads of any other relevant agencies, shall—

(1) develop and publish guidance for firefighters and other emergency response personnel on training, education programs, and best practices;

(2) make available a curriculum designed to—

(A) reduce and eliminate exposure to per- and polyfluoroalkyl substances (commonly referred to as “PFAS”) from firefighting foam and personal protective equipment;

(B) prevent the release of PFAS from firefighting foam into the environment; and

(C) educate firefighters and other emergency response personnel on foams and non-foam alternatives, personal protective equipment, and other firefighting tools and equipment that do not contain PFAS; and

(3) create an online public repository, which shall be updated on a regular basis, on tools and best practices for firefighters and other emergency response personnel to reduce, limit, and prevent the release of and exposure to PFAS.

(b) CURRICULUM.—

(1) IN GENERAL.—For the purpose of developing the curriculum required under subsection (a)(2), the Administrator of the United States Fire Administration shall make recommendations to the Secretary of Homeland Security as to the content of the curriculum.

(2) CONSULTATION.—For the purpose of making recommendations under paragraph (1), the Administrator of the United States Fire Administration shall consult with interested entities, as appropriate, including—

(A) firefighters and other emergency response personnel, including national fire service and emergency response organizations;

(B) impacted communities dealing with PFAS contamination;

(C) scientists, including public and occupational health and safety experts, who are studying PFAS and PFAS alternatives in firefighting foam;

(D) voluntary standards organizations engaged in developing standards for firefighter and firefighting equipment;

(E) State fire training academies;

(F) State fire marshals;

(G) manufacturers of firefighting tools and equipment; and

(H) any other relevant entities, as determined by the Secretary of Homeland Security and the Administrator of the United States Fire Administration.

(c) REVIEW.—Not later than 3 years after the date on which the guidance and curriculum required under subsection (a) is issued, and not less frequently than once every 3 years thereafter, the Secretary of Homeland Security, in consultation with the Administrator of the United States Fire Administration, the Administrator of the Environmental Protection Agency, and the Director of the National Institute for Occupational Safety and Health, shall review the guidance and curriculum and, as appropriate, issue updates to the guidance and curriculum.

(d) APPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to this Act.

(e) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to require the Secretary of Homeland Security to promulgate or enforce regulations under subchapter II of chapter 5 of title 5, United States Code (commonly known as the “Administrative Procedure Act”).

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. HEINRICH. Mr. President, I have 5 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Thursday, July 29, 2021, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, July 29, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, July 29, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, July 29, 2021, at 10 a.m., to conduct a hearing nominations.

SUBCOMMITTEE ON SUPERFUND, WASTE MANAGEMENT, AND REGULATORY OVERSIGHT

The Subcommittee on Superfund, Waste Management, and Regulatory Oversight of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Thursday, July 29, 2021, at 10 a.m., to conduct a hearing.

#### PRIVILEGES OF THE FLOOR

Mr. HEINRICH. Mr. President, I ask unanimous consent that Mackie McIntosh, a detailee with the Committee on Environment and Public Works, and Laura Gentile, Heather Dean, and Emily Tucker, who are fellows with the Committee on Environment and Public Works be given floor privileges for the duration of the consideration of H.R. 3684, the Invest in America Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22,  
P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2021

| Name and country           | Name of currency | Per diem         |   | Transportation   |   | Miscellaneous    |   | Total            |   |
|----------------------------|------------------|------------------|---|------------------|---|------------------|---|------------------|---|
|                            |                  | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Alexandra Davis:           |                  |                  |   |                  |   |                  |   |                  |   |
| United States .....        | Dollars .....    |                  |   |                  | 14,688.88                               |                  |   |                  | 14,688.88                               |
| Sudan .....                | Pounds .....     |                  | 610.31                                  |                  |   |                  |   |                  | 610.31                                  |
| United Arab Emirates ..... | Dirham .....     |                  | 274.75                                  |                  |   |                  |   |                  | 274.75                                  |
| Senator Lindsey Graham:    |                  |                  |   |                  |   |                  |   |                  |   |
| United States .....        | Dollars .....    |                  |   |                  | 9,645.83                                |                  |   |                  | 9,645.83                                |
| Israel .....               | Shekel .....     |                  | 888.56                                  |                  |   |                  |   |                  | 888.56                                  |
| Matt Rinkunas:             |                  |                  |   |                  |   |                  |   |                  |   |
| United States .....        | Dollars .....    |                  |   |                  | 12,494.02                               |                  |   |                  | 12,494.02                               |
| Israel .....               | Shekel .....     |                  | 803.28                                  |                  |   |                  |   |                  | 803.28                                  |
| Senator Lisa Murkowski:    |                  |                  |   |                  |   |                  |   |                  |   |
| United States .....        | Dollars .....    |                  |   |                  | 2,492.95                                |                  |   |                  | 2,492.95                                |
| Iceland .....              | Krona .....      |                  | 515.50                                  |                  |   |                  |   |                  | 515.50                                  |
| Matthew Hickey:            |                  |                  |   |                  |   |                  |   |                  |   |
| United States .....        | Dollars .....    |                  |   |                  | 2,492.95                                |                  |   |                  | 2,492.95                                |
| Iceland .....              | Krona .....      |                  | 360.50                                  |                  |   |                  |   |                  | 360.60                                  |
| Delegation Expenses:*      |                  |                  |   |                  |   |                  |   |                  |   |
| Sudan .....                | Pounds .....     |                  |   |                  |   |                  | 3,178.77                                |                  | 3,178.77                                |
| United Arab Emirates ..... | Dirham .....     |                  |   |                  |   |                  | 745.44                                  |                  | 745.44                                  |
| Delegation Expenses:*      |                  |                  |   |                  |   |                  |   |                  |   |
| Israel .....               | Shekel .....     |                  |   |                  |   |                  | 11,879.73                               |                  | 11,879.73                               |
| Delegation Expenses:*      |                  |                  |   |                  |   |                  |   |                  |   |
| Iceland .....              | Krona .....      |                  |   |                  |   |                  | 2,540.23                                |                  | 2,540.23                                |
| Total .....                |                  |                  | 3,452.90                                |                  | 41,814.63                               |                  | 18,344.17                               |                  | 63,611.70                               |

\* Delegation expenses include official expenses reimbursed to the Department of State, under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and may include S. Res. 179 funds agreed to May 25, 1977.

PATRICK LEAHY,  
Chairman, Committee on Appropriations, July 23, 2021.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22,  
P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM APR. 1 TO JUNE 30, 2021

| Name and country         | Name of currency | Per diem         |   | Transportation   |   | Miscellaneous    |   | Total            |   |
|--------------------------|------------------|------------------|---|------------------|---|------------------|---|------------------|---|
|                          |                  | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Senator Tammy Duckworth: |                  |                  |   |                  |   |                  |   |                  |   |
| United States .....      | Dollar .....     |                  |   |                  | 5,553.25                                |                  |   |                  | 5,553.25                                |
| South Korea .....        | Won .....        |                  | 121.11                                  |                  |   |                  |   |                  | 121.11                                  |
| Senator Dan Sullivan:    |                  |                  |   |                  |   |                  |   |                  |   |
| United States .....      | Dollar .....     |                  |   |                  | 7,757.05                                |                  |   |                  | 7,757.05                                |
| South Korea .....        | Won .....        |                  | 151.69                                  |                  |   |                  |   |                  | 151.69                                  |
| Jasmine Bonner:          |                  |                  |   |                  |   |                  |   |                  |   |
| United States .....      | Dollar .....     |                  |   |                  | 5,588.55                                |                  |   |                  | 5,588.55                                |
| South Korea .....        | Won .....        |                  | 216.23                                  |                  |   |                  |   |                  | 216.23                                  |
| Kathryn Sudhoff:         |                  |                  |   |                  |   |                  |   |                  |   |
| United States .....      | Dollar .....     |                  |   |                  | 5,553.65                                |                  |   |                  | 5,553.65                                |
| South Korea .....        | Won .....        |                  | 204.32                                  |                  |   |                  |   |                  | 204.32                                  |
| Elizabeth Banicki:       |                  |                  |   |                  |   |                  |   |                  |   |
| United States .....      | Dollar .....     |                  |   |                  | 5,588.55                                |                  |   |                  | 5,588.55                                |
| South Korea .....        | Won .....        |                  | 152.57                                  |                  |   |                  |   |                  | 152.57                                  |
| Delegation Expenses:*    |                  |                  |   |                  |   |                  |   |                  |   |
| South Korea .....        | Won .....        |                  |   |                  |   |                  | 5,863.73                                |                  | 5,863.73                                |
| Total .....              |                  |                  | 845.92                                  |                  | 105,631.35                              |                  | 5,863.73                                |                  | 106,477.27                              |

\* Delegation expenses include official expenses reimbursed to the Department of State, under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and may include S. Res. 179 funds agreed to May 25, 1977.

JACK REED,  
Chairman, Committee on Armed Services, Mar. 27, 2021.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22,  
P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM APR. 1 TO JUNE 30, 2021

| Name and country      | Name of currency | Per diem         |   | Transportation   |   | Miscellaneous    |   | Total            |   |
|-----------------------|------------------|------------------|---|------------------|---|------------------|---|------------------|---|
|                       |                  | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Mathew Murray:        |                  |                  |   |                  |   |                  |   |                  |   |
| United States .....   | Dollar .....     |                  |   |                  | 9,128.12                                |                  |   |                  | 9,128.12                                |
| Israel .....          | Shekel .....     |                  | 1,070.00                                |                  |   |                  |   |                  | 1,070.00                                |
| Delegation Expenses:* |                  |                  |   |                  |   |                  |   |                  |   |
| Israel .....          | Shekel .....     |                  |   |                  |   |                  | 4,002.46                                |                  | 4,002.46                                |
| Total .....           |                  |                  | 1,070.00                                |                  | 9,128.12                                |                  | 4,002.46                                |                  | 14,200.58                               |

\* Delegation expenses include official expenses reimbursed to the Department of State, under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and may include S. Res. 179 funds agreed to May 25, 1977.

MARIA CANTWELL,  
Chairman, Committee on Commerce, Science, and Transportation,  
July 13, 2021.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22,  
P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2021

| Name and country         | Name of currency | Per diem         |   | Transportation   |   | Miscellaneous    |   | Total            |   |
|--------------------------|------------------|------------------|---|------------------|---|------------------|---|------------------|---|
|                          |                  | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Senator William Cassidy: |                  |                  |   |                  |   |                  |   |                  |   |
| Panama .....             | Balboa .....     |                  | 23.00                                   |                  |   |                  |   |                  | 23.00                                   |

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22,  
P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2021—Continued

| Name and country            | Name of currency | Per diem         |   | Transportation   |   | Miscellaneous    |   | Total            |   |
|-----------------------------|------------------|------------------|---|------------------|---|------------------|---|------------------|---|
|                             |                  | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| United States .....         | Dollar .....     |                  |   |                  | 4,160.05                                |                  |   |                  | 4,160.05                                |
| Katie Hadji: .....          |                  |                  |   |                  |   |                  |   |                  |   |
| Panama .....                | Balboa .....     |                  | 198.00                                  |                  |   |                  |   |                  | 198.00                                  |
| United States .....         | Dollar .....     |                  |   |                  | 4,193.00                                |                  |   |                  | 4,193.00                                |
| Delegation Expenses:* ..... |                  |                  |   |                  |   |                  |   |                  |   |
| Panama .....                | Dollar .....     |                  |   |                  |   |                  | 635.01                                  |                  | 635.01                                  |
| Total .....                 |                  |                  | 221.00                                  |                  | 8,353.05                                |                  | 635.01                                  |                  | 9,209.06                                |

\*Delegation expenses include official expenses reimbursed to the Department of State, under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and may include S. Res. 179 funds agreed to May 25, 1977.

RON WYDEN,  
Chairman, Committee on Finance, July 27, 2021.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22,  
P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2021

| Name and country            | Name of currency | Per diem         |   | Transportation   |   | Miscellaneous    |   | Total            |   |
|-----------------------------|------------------|------------------|---|------------------|---|------------------|---|------------------|---|
|                             |                  | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Senator Christopher Coons:  |                  |                  |   |                  |   |                  |   |                  |   |
| United Arab Emirates .....  | Dirham .....     |                  | 1,205.08                                |                  |   |                  |   |                  | 1,205.08                                |
| Sudan .....                 | Pound .....      |                  | 614.62                                  |                  |   |                  |   |                  | 614.62                                  |
| United States .....         | Dollar .....     |                  |   |                  | 14,658.00                               |                  |   |                  | 14,658.00                               |
| Thomas Mancinelli:          |                  |                  |   |                  |   |                  |   |                  |   |
| United Arab Emirates .....  | Dirham .....     |                  | 1,203.63                                |                  |   |                  |   |                  | 1,203.63                                |
| Sudan .....                 | Pound .....      |                  | 579.62                                  |                  |   |                  |   |                  | 579.62                                  |
| United States .....         | Dollar .....     |                  |   |                  | 14,658.00                               |                  |   |                  | 14,658.00                               |
| Senator Chris Van Hollen:   |                  |                  |   |                  |   |                  |   |                  |   |
| United Arab Emirates .....  | Dirham .....     |                  | 1,311.61                                |                  |   |                  |   |                  | 1,311.61                                |
| Sudan .....                 | Pound .....      |                  | 918.89                                  |                  |   |                  |   |                  | 918.89                                  |
| United States .....         | Dollar .....     |                  |   |                  | 14,693.88                               |                  |   |                  | 14,693.88                               |
| Delegation Expenses:        |                  |                  |   |                  |   |                  |   |                  |   |
| United Arab Emirates .....  | Dirham .....     |                  |   |                  |   |                  | 2,236.34                                |                  | 2,236.34                                |
| Sudan .....                 | Pound .....      |                  |   |                  |   |                  | 9,536.33                                |                  | 9,536.33                                |
| Senator Christopher Coons:  |                  |                  |   |                  |   |                  |   |                  |   |
| Republic of Korea .....     | Won .....        |                  | 850.00                                  |                  |   |                  |   |                  | 850.00                                  |
| United States .....         | Dollar .....     |                  |   |                  | 6,874.45                                |                  |   |                  | 6,874.45                                |
| Thomas Mancinelli:          |                  |                  |   |                  |   |                  |   |                  |   |
| Republic of Korea .....     | Won .....        |                  | 857.47                                  |                  |   |                  |   |                  | 857.47                                  |
| United States .....         | Dollar .....     |                  |   |                  | 5,518.55                                |                  |   |                  | 5,518.55                                |
| Delegation Expenses:* ..... |                  |                  |   |                  |   |                  |   |                  |   |
| Korea .....                 | Won .....        |                  |   |                  |   |                  | 2,345.49                                |                  | 2,345.49                                |
| Senator Ted Cruz:           |                  |                  |   |                  |   |                  |   |                  |   |
| Israel .....                | Shekel .....     |                  | 760.00                                  |                  |   |                  |   |                  | 760.00                                  |
| United States .....         | Dollar .....     |                  |   |                  | 9,767.45                                |                  |   |                  | 9,767.45                                |
| Omri Ceren:                 |                  |                  |   |                  |   |                  |   |                  |   |
| Israel .....                | Shekel .....     |                  | 1,102.70                                |                  |   |                  |   |                  | 1,102.70                                |
| United States .....         | Dollar .....     |                  |   |                  | 9,128.12                                |                  |   |                  | 9,128.12                                |
| Senator Bill Hagerty:       |                  |                  |   |                  |   |                  |   |                  |   |
| Israel .....                | Shekel .....     |                  | 1,362.19                                |                  |   |                  |   |                  | 1,362.19                                |
| United States .....         | Dollar .....     |                  |   |                  | 4,584.72                                |                  |   |                  | 4,584.72                                |
| Robert Zarate:              |                  |                  |   |                  |   |                  |   |                  |   |
| Israel .....                | Shekel .....     |                  | 1,592.92                                |                  |   |                  |   |                  | 1,592.92                                |
| United States .....         | Dollar .....     |                  |   |                  | 3,563.72                                |                  |   |                  | 3,563.72                                |
| Delegation Expenses:* ..... |                  |                  |   |                  |   |                  |   |                  |   |
| Israel .....                | Shekel .....     |                  |   |                  |   |                  | 13,302.29                               |                  | 13,302.29                               |
| Senator Bill Hagerty:       |                  |                  |   |                  |   |                  |   |                  |   |
| Guatemala .....             | Quetzal .....    |                  | 187.96                                  |                  |   |                  |   |                  | 187.96                                  |
| Mexico .....                | Peso .....       |                  | 271.35                                  |                  |   |                  |   |                  | 271.35                                  |
| United States .....         | Dollar .....     |                  |   |                  | 4,319.84                                |                  |   |                  | 4,319.84                                |
| Robert Zarate:              |                  |                  |   |                  |   |                  |   |                  |   |
| Guatemala .....             | Quetzal .....    |                  | 187.96                                  |                  |   |                  |   |                  | 187.96                                  |
| Mexico .....                | Peso .....       |                  | 271.35                                  |                  |   |                  |   |                  | 271.35                                  |
| United States .....         | Dollar .....     |                  |   |                  | 3,760.09                                |                  |   |                  | 3,760.09                                |
| Delegation Expenses:* ..... |                  |                  |   |                  |   |                  |   |                  |   |
| Guatemala .....             | Quetzal .....    |                  |   |                  |   |                  | 598.90                                  |                  | 598.90                                  |
| Mexico .....                | Peso .....       |                  |   |                  |   |                  | 922.00                                  |                  | 922.00                                  |
| Senator Christopher Murphy: |                  |                  |   |                  |   |                  |   |                  |   |
| Oman .....                  | Rial .....       |                  | 700.78                                  |                  |   |                  |   |                  | 700.78                                  |
| Jordan .....                | Dinar .....      |                  | 955.84                                  |                  |   |                  |   |                  | 955.84                                  |
| United States .....         | Dollar .....     |                  |   |                  | 10,845.65                               |                  |   |                  | 10,845.65                               |
| Jessica Elledge:            |                  |                  |   |                  |   |                  |   |                  |   |
| Oman .....                  | Rial .....       |                  | 960.78                                  |                  |   |                  |   |                  | 960.78                                  |
| Jordan .....                | Dinar .....      |                  | 1,239.64                                |                  |   |                  |   |                  | 1,239.64                                |
| United States .....         | Dollar .....     |                  |   |                  | 10,257.35                               |                  |   |                  | 10,257.35                               |
| Delegation Expenses:* ..... |                  |                  |   |                  |   |                  |   |                  |   |
| Oman .....                  | Rial .....       |                  |   |                  |   |                  | 222.39                                  |                  | 222.39                                  |
| Jordan .....                | Dinar .....      |                  |   |                  |   |                  | 1,468.83                                |                  | 1,468.83                                |
| Senator Jeanne Shaheen:     |                  |                  |   |                  |   |                  |   |                  |   |
| Ukraine .....               | Hryvnia .....    |                  | 261.80                                  |                  |   |                  |   |                  | 261.80                                  |
| Georgia .....               | Lari .....       |                  | 438.50                                  |                  |   |                  |   |                  | 438.50                                  |
| United States .....         | Dollar .....     |                  |   |                  | 6,226.05                                |                  |   |                  | 6,226.05                                |
| Amy English:                |                  |                  |   |                  |   |                  |   |                  |   |
| Ukraine .....               | Hryvnia .....    |                  | 310.80                                  |                  |   |                  |   |                  | 310.80                                  |
| Georgia .....               | Lari .....       |                  | 461.51                                  |                  |   |                  |   |                  | 461.51                                  |
| United States .....         | Dollar .....     |                  |   |                  | 6,358.65                                |                  |   |                  | 6,358.65                                |
| Senator Rob Portman:        |                  |                  |   |                  |   |                  |   |                  |   |
| Ukraine .....               | Hryvnia .....    |                  | 245.11                                  |                  |   |                  |   |                  | 245.11                                  |
| Georgia .....               | Lari .....       |                  | 455.19                                  |                  |   |                  |   |                  | 455.19                                  |
| United States .....         | Dollar .....     |                  |   |                  | 7,058.15                                |                  |   |                  | 7,058.15                                |
| Wayne Jones:                |                  |                  |   |                  |   |                  |   |                  |   |
| Ukraine .....               | Hryvnia .....    |                  | 418.00                                  |                  |   |                  |   |                  | 418.00                                  |
| Georgia .....               | Lari .....       |                  | 647.61                                  |                  |   |                  |   |                  | 647.61                                  |
| United States .....         | Dollar .....     |                  |   |                  | 6,226.00                                |                  |   |                  | 6,226.00                                |
| Senator Christopher Murphy: |                  |                  |   |                  |   |                  |   |                  |   |
| Ukraine .....               | Hryvnia .....    |                  | 782.00                                  |                  |   |                  |   |                  | 782.00                                  |
| United States .....         | Dollar .....     |                  |   |                  | 6,354.85                                |                  |   |                  | 6,354.85                                |
| Jessica Elledge:            |                  |                  |   |                  |   |                  |   |                  |   |
| Ukraine .....               | Hryvnia .....    |                  | 832.00                                  |                  |   |                  |   |                  | 832.00                                  |



CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2021—Continued

| Name and country      | Name of currency | Per diem         |   | Transportation   |   | Miscellaneous    |   | Total            |   |
|-----------------------|------------------|------------------|---|------------------|---|------------------|---|------------------|---|
|                       |                  | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| United States .....   | Dollar .....     |                  |   |                  | 6,455.85                                |                  |   |                  | 6,455.85                                |
| Delegation Expenses:* |                  |                  |   |                  |   |                  |   |                  |   |
| Ukraine .....         | Hryvnia .....    |                  |   |                  |   |                  | 2,054.93                                |                  | 2,054.93                                |
| Georgia .....         | Lari .....       |                  |   |                  |   |                  | 4,846.54                                |                  | 4,846.54                                |
| Total .....           |                  |                  | 21,986.91                               |                  | 145,083.32                              |                  | 43,760.09                               |                  | 210,830.32                              |

\*Delegation expenses include official expenses reimbursed to the Department of State, under the authority of Sec. 503(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95-384, and may include S. Res. 179 funds agreed to May 25, 1977.

ROBERT MENENDEZ,  
Chairman, Committee on Foreign Relations, July 22, 2021.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2021

| Name and country      | Name of currency | Per diem         |   | Transportation   |   | Miscellaneous    |   | Total            |   |
|-----------------------|------------------|------------------|---|------------------|---|------------------|---|------------------|---|
|                       |                  | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Jon Estridge:         |                  |                  | 405.00                                  |                  |   |                  |   |                  | 405.00                                  |
| .....                 |                  |                  |   |                  | 12,218.00                               |                  |   |                  | 12,218.00                               |
| .....                 |                  |                  | 364.00                                  |                  |   |                  |   |                  | 364.00                                  |
| Delegation Expenses:  |                  |                  |   |                  |   |                  | 789.00                                  |                  | 789.00                                  |
| .....                 |                  |                  |   |                  |   |                  |   |                  | 0.00                                    |
| Brett Freedman:       |                  |                  | 976.70                                  |                  |   |                  |   |                  | 976.70                                  |
| .....                 |                  |                  | 114.00                                  |                  |   |                  |   |                  | 114.00                                  |
| .....                 |                  |                  |   |                  | 12,344.25                               |                  |   |                  | 12,344.25                               |
| .....                 |                  |                  |   |                  |   |                  |   |                  | 0.00                                    |
| Mike Casey:           |                  |                  | 942.16                                  |                  |   |                  |   |                  | 942.16                                  |
| .....                 |                  |                  | 615.17                                  |                  |   |                  |   |                  | 615.17                                  |
| .....                 |                  |                  |   |                  | 8,937.75                                |                  |   |                  | 8,937.75                                |
| Delegation Expenses:* |                  |                  |   |                  |   |                  | 4,138.52                                |                  | 4,138.52                                |
| .....                 |                  |                  |   |                  |   |                  |   |                  | 0.00                                    |
| Brian Walsh:          |                  |                  | 1,043.05                                |                  |   |                  |   |                  | 1,043.05                                |
| .....                 |                  |                  |   |                  | 8,910.95                                |                  |   |                  | 8,910.95                                |
| Total .....           |                  |                  | 4,460.08                                |                  | 42,410.95                               |                  | 4,927.52                                |                  | 51,798.55                               |

\*Delegation expenses include official expenses reimbursed to the Department of state, under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95-384, and may include S. Res. 179 funds agreed to May 25, 1977.

MARK R. WARNER,  
Chairman, Committee on Intelligence, July 20, 2021.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), REPUBLICAN LEADER FOR TRAVEL FROM APR. 1 TO JUNE 30, 2021

| Name and country    | Name of currency | Per diem         |   | Transportation   |   | Miscellaneous    |   | Total            |   |
|---------------------|------------------|------------------|---|------------------|---|------------------|---|------------------|---|
|                     |                  | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency | Foreign currency | U.S. dollar equivalent or U.S. currency |
| Robert Karem:       |                  |                  |   |                  |   |                  |   |                  |   |
| United States ..... | Dollar .....     |                  |   |                  | 8,938.85                                |                  |   |                  | 8,938.85                                |
| Greece .....        | Euro .....       |                  | 933.50                                  |                  |   |                  |   |                  | 933.50                                  |
| Belgium .....       | Euro .....       |                  | 606.50                                  |                  |   |                  |   |                  | 606.50                                  |
| Total .....         |                  |                  | 1,540.00                                |                  | 8,938.85                                |                  |   |                  | 10,478.85                               |

\*Delegation expenses include official expenses reimbursed to the Department of State, under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95-384, and may include S. Res. 179 funds agreed to May 25, 1977.

MITCH MCCONNELL,  
Republican Leader, July 19, 2021.

## PROTECTING FIREFIGHTERS FROM ADVERSE SUBSTANCES ACT

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 55, S. 231.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 231) to direct the Administrator of the Federal Emergency Management Agency to develop guidance for firefighters and other emergency response personnel on best practices to protect them from exposure to PFAS and to limit and prevent the release

of PFAS into the environment, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Protecting Firefighters from Adverse Substances Act” or the “PFAS Act”.*

### SEC. 2. GUIDANCE ON HOW TO PREVENT EXPOSURE TO AND RELEASE OF PFAS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Manage-

ment Agency, in consultation with the Administrator of the United States Fire Administration, the Administrator of the Environmental Protection Agency, the Director of the National Institute for Occupational Safety and Health, and the heads of any other relevant agencies, shall—

(1) develop and publish guidance for firefighters and other emergency response personnel on training, education programs, and best practices to—

(A) reduce and eliminate exposure to per- and polyfluoroalkyl substances (commonly referred to as “PFAS”) from firefighting foam and personal protective equipment; and

(B) prevent the release of PFAS from firefighting foam into the environment;

(2) develop and issue guidance for firefighters and other emergency response personnel on

foams and non-foam alternatives, personal protective equipment, and other firefighting tools and equipment that do not contain PFAS; and

(3) create an online public repository, which shall be updated on a regular basis, on tools and best practices for firefighters and other emergency response personnel to reduce, limit, and prevent the release of and exposure to PFAS.

(b) **REQUIRED CONSULTATION.**—In developing the guidance required under subsection (a), the Administrator of the Federal Emergency Management Agency shall consult with appropriate interested entities, including—

(1) firefighters and other emergency response personnel, including national fire service and emergency response organizations;

(2) impacted communities dealing with PFAS contamination;

(3) scientists, including public and occupational health and safety experts, who are studying PFAS and PFAS alternatives in firefighting foam;

(4) voluntary standards organizations engaged in developing standards for firefighter and firefighting equipment;

(5) State fire training academies;

(6) State fire marshals;

(7) manufacturers of firefighting tools and equipment; and

(8) any other relevant entities, as determined by the Administrator of the Federal Emergency Management Agency and the Administrator of the United States Fire Administration.

(c) **REVIEW OF GUIDANCE.**—Not later than 3 years after the date on which the guidance required under subsection (a) is issued, and not less frequently than once every 2 years thereafter, the Administrator of the Federal Emergency Management Agency, in consultation with the Administrator of the United States Fire Administration, the Administrator of the Environmental Protection Agency, and the Director of the National Institute for Occupational Safety and Health, shall review the guidance and, as appropriate, issue updates to the guidance.

(d) **APPLICABILITY OF FACA.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to this Act.

Mr. HEINRICH. I ask unanimous consent that the committee-reported substitute amendment be withdrawn; that the Peters substitute amendment, which is at the desk, be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment, in the nature of a substitute, was withdrawn.

The amendment (No. 2125), in the nature of a substitute, was agreed to as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Protecting Firefighters from Adverse Substances Act” or the “PFAS Act”.

#### SEC. 2. GUIDANCE ON HOW TO PREVENT EXPOSURE TO AND RELEASE OF PFAS.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security, in consultation with the Administrator of the United States Fire Administration, the Administrator of the Environmental Protection Agency, the Director of the National Institute for Occupational Safety and Health, and the heads of any other relevant agencies, shall—

(1) develop and publish guidance for firefighters and other emergency response personnel on training, education programs, and best practices;

(2) make available a curriculum designed to—

(A) reduce and eliminate exposure to per- and polyfluoroalkyl substances (commonly referred to as “PFAS”) from firefighting foam and personal protective equipment;

(B) prevent the release of PFAS from firefighting foam into the environment; and

(C) educate firefighters and other emergency response personnel on foams and non-foam alternatives, personal protective equipment, and other firefighting tools and equipment that do not contain PFAS; and

(3) create an online public repository, which shall be updated on a regular basis, on tools and best practices for firefighters and other emergency response personnel to reduce, limit, and prevent the release of and exposure to PFAS.

#### (b) CURRICULUM.—

(1) **IN GENERAL.**—For the purpose of developing the curriculum required under subsection (a)(2), the Administrator of the United States Fire Administration shall make recommendations to the Secretary of Homeland Security as to the content of the curriculum.

(2) **CONSULTATION.**—For the purpose of making recommendations under paragraph (1), the Administrator of the United States Fire Administration shall consult with interested entities, as appropriate, including—

(A) firefighters and other emergency response personnel, including national fire service and emergency response organizations;

(B) impacted communities dealing with PFAS contamination;

(C) scientists, including public and occupational health and safety experts, who are studying PFAS and PFAS alternatives in firefighting foam;

(D) voluntary standards organizations engaged in developing standards for firefighter and firefighting equipment;

(E) State fire training academies;

(F) State fire marshals;

(G) manufacturers of firefighting tools and equipment; and

(H) any other relevant entities, as determined by the Secretary of Homeland Security and the Administrator of the United States Fire Administration.

(c) **REVIEW.**—Not later than 3 years after the date on which the guidance and curriculum required under subsection (a) is issued, and not less frequently than once every 3 years thereafter, the Secretary of Homeland Security, in consultation with the Administrator of the United States Fire Administration, the Administrator of the Environmental Protection Agency, and the Director of the National Institute for Occupational Safety and Health, shall review the guidance and curriculum and, as appropriate, issue updates to the guidance and curriculum.

(d) **APPLICABILITY OF FACA.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to this Act.

(e) **RULE OF CONSTRUCTION.**—Nothing in this Act shall be construed to require the Secretary of Homeland Security to promulgate or enforce regulations under subchapter II of chapter 5 of title 5, United States Code (commonly known as the “Administrative Procedure Act”).

The bill (S. 231), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### PROMOTING RIGOROUS AND INNOVATIVE COST EFFICIENCIES FOR FEDERAL PROCUREMENT AND ACQUISITIONS ACT OF 2021

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 80, S. 583.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 583) to promote innovative acquisition techniques and procurement strategies, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

S. 583

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Promoting Rigorous and Innovative Cost Efficiencies for Federal Procurement and Acquisitions Act of 2021” or the “PRICE Act of 2021”.

#### SEC. 2. FINDINGS.

Congress finds that—

(1) small business participation in the Federal marketplace is key to ensuring a strong industrial base;

(2) the Business Opportunity Development Reform Act of 1988 (Public Law 100-656) sets forth the requirement for the President to establish Government-wide goals for procurement contracts awarded to small businesses;

(3) each year, the Small Business Administration works with each Federal agency to set their respective contracting goals and publishes a scorecard to ensure that the total of all Federal agency goals meets the required targets for the Federal Government;

(4) the Department has received among the highest scorecard letter grades 10 years in a row and is the largest Federal agency to have such a track record;

(5) in virtually every segment of the economy of the United States, including the homeland security community, there are small businesses working to support the mission and playing a critical role in delivering efficient and innovative solutions to the acquisition needs of the Federal Government;

(6) the Procurement Innovation Lab of the Department—

(A) is aimed at experimenting with innovative acquisition techniques across the Homeland Security [enterprise] *Enterprise*;

(B) provides a forum to test new ideas, share lessons learned, and promote best practices;

(C) fosters cultural changes that promote innovation and managed risk taking through a continuous cycle of testing, obtaining feedback, sharing information, and retesting where appropriate; and

(D) aims to make the acquisition process more smooth and innovative within the construct of the Federal Acquisition Regulation for both the Federal Government and contractors; and

(7) despite progress in the adoption of new and better business practices by many Federal agencies, the overall adoption of modernized business practices and advanced

technologies across the Federal Government remains slow and uneven.

### SEC. 3. DEFINITIONS.

In this Act:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator for Federal Procurement Policy.

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Small Business and Entrepreneurship of the Senate; and

(B) the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Small Business of the House of Representatives.

(3) **COUNCIL.**—The term “Council” means the Chief Acquisition Officers Council established under section 1311 of title 41, United States Code.

(4) **DEPARTMENT.**—The term “Department” means the Department of Homeland Security.

(5) **HOMELAND SECURITY ENTERPRISE ENTERPRISE.**—The term “Homeland Security [enterprise] Enterprise” has the meaning given the term in section 2211(h) of the Homeland Security Act of 2002 (6 U.S.C. 661(h)).

(6) **SCORECARD.**—The term “scorecard” means the scorecard described in section 868(b) of the National Defense Authorization Act for Fiscal Year 2016 (15 U.S.C. 644 note).

(7) **SECRETARY.**—The term “Secretary” means the Secretary of Homeland Security.

(8) **SMALL BUSINESS.**—The term “small business” means—

(A) a qualified HUBZone small business concern, a small business concern, a small business concern owned and controlled by service-disabled veterans, or a small business concern owned and controlled by women, as those terms are defined in section 3 of the Small Business Act (15 U.S.C. 632);

(B) a small business concern owned and controlled by socially and economically disadvantaged individuals, as defined in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)); or

(C) a small business concern unconditionally owned by an economically disadvantaged Indian tribe or an economically disadvantaged Native Hawaiian organization that qualifies as a socially and economically disadvantaged small business concern, as defined in section 8(a)(4) of the Small Business Act (15 U.S.C. 637(a)(4)).

(9) **UNDER SECRETARY.**—The term “Under Secretary” means the Under Secretary for Management of the Department.

### SEC. 4. PROCUREMENT INNOVATION LAB REPORT.

(a) **REPORT.**—The Under Secretary shall publish an annual report on a website of the Department on Procurement Innovation Lab projects that have used innovative techniques within the Department to accomplish—

(1) improving or encouraging better competition;

(2) reducing time to award;

(3) cost savings;

(4) better mission outcomes; or

(5) meeting the goals for contracts awarded to small business concerns under section 15(g) of the Small Business Act (15 U.S.C. 644(g)).

(b) **EDUCATION.**—The Under Secretary shall develop and disseminate guidance and offer training for contracting officers, contracting specialists, program managers, and other personnel of the Department, as determined appropriate by the Under Secretary, concerning when and how to use the innovative procurement techniques of the Department.

(c) **BEST PRACTICES.**—The Under Secretary shall share best practices across the Depart-

ment and make available to other Federal agencies information to improve procurement methods and training, as determined appropriate by the Under Secretary.

(d) **SUNSET.**—This section shall cease to be effective on the date that is 3 years after the date of enactment of this Act.

### SEC. 5. COUNCIL.

(a) **ESTABLISHMENT.**—Not later than 45 days after the date of enactment of this Act, the Administrator shall convene the Council to examine best practices for acquisition innovation in contracting in the Federal Government, including small business contracting in accordance with the goals established under section 15(g) of the Small Business Act (15 U.S.C. 644(g)).

(b) **WORKING GROUP.**—The Council may form a working group to address the requirements of this section, which, if formed, shall—

(1) be chaired by the Administrator or a designee of the Administrator; and

(2) be composed of—

(A) the Chief Procurement Officer of the Department;

(B) Council members from—

(i) the General Services Administration;

(ii) the Department of Defense;

(iii) the Department of the Treasury;

(iv) the Department of Veterans Affairs;

(v) the Department of Health and Human Services;

(vi) the Small Business Administration; and

(vii) such other Federal agencies as determined by the chair of the Council from among Federal agencies that have demonstrated significant, sustained progress using innovative acquisition practices and technologies, including for small business contracting, during each of the 3 years preceding the date of enactment of this Act; and

(C) other employees, as determined appropriate by the chair of the Council, of Federal agencies with the requisite senior experience to make recommendations to improve Federal agency efficiency, effectiveness, and economy, including in promoting small business contracting.

(c) **DUTIES OF THE COUNCIL.**—The Council, or a working group formed under subsection (b), shall—

(1) convene not later than 90 days after the date of enactment of this Act and thereafter on a quarterly basis until the Council submits the report required under subsection (d)(1); and

(2) conduct outreach with the workforce and the public in meeting the requirements under subsection (d)(1).

(d) **REPORT.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Council shall submit to the appropriate congressional committees a report that describes—

(A) innovative acquisition practices and applications of technologies that have worked well in achieving better procurement outcomes, including increased efficiency, improved program outcomes, better customer experience, and meeting or exceeding the goals under section 15(g) of the Small Business Act (15 U.S.C. 644(g)), and the reasons why those practices have succeeded;

(B) steps to identify and adopt transformational commercial business practices, modernized data analytics, and advanced technologies that allow decision making to occur in a more friction-free buying environment and improve customer experience; and

(C) any recommendations for statutory changes to accelerate the adoption of innovative acquisition practices.

(2) **BRIEFING.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall brief the appropriate

congressional committees on the means by which the findings and recommendations of the report have been disseminated under paragraph (3).

(3) **PUBLICATION AND DISSEMINATION OF REPORT FINDINGS.**—To promote more rapid adoption of acquisition best practices, the Administrator shall—

(A) publish the report required under paragraph (1) on the website of the Office of Management and Budget and on the Innovation Hub on the Acquisition Gateway or any successor Government-wide site available for increasing awareness of resources dedicated to procurement innovation; and

(B) encourage the head of each Federal agency to maintain a site on the website of the Federal agency for acquisition and contracting professionals, program managers, members of the public, and others as appropriate that is—

(i) dedicated to acquisition innovation; and

(ii) identifies—

(I) resources, including the acquisition innovation advocate and industry liaison of the Federal agency;

(II) learning assets for the workforce, including the findings and recommendations made in the report required under paragraph (1);

(III) events to build awareness and understanding of innovation activities;

(IV) award recognition programs and recent recipients; and

(V) upcoming plans to leverage innovative practices and technologies.

(e) **EXPERTS.**—In carrying out the duties of the Council under this section, the Council is [encourage] encouraged to consult with governmental and nongovernmental experts.

(f) **TERMINATION.**—The duties of the Council as set forth in this section shall terminate 30 days after the date on which the Council conducts the briefing required under subsection (d)(2).

Mr. HEINRICH. I further ask unanimous consent that the committee-reported amendments be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendments were agreed to.

The bill (S. 583), as amended, was order to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 583

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Promoting Rigorous and Innovative Cost Efficiencies for Federal Procurement and Acquisitions Act of 2021” or the “PRICE Act of 2021”.

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set their respective contracting goals and publishes a scorecard to ensure that the total of all Federal agency goals meets the required targets for the Federal Government;

(4) the Department has received among the highest scorecard letter grades 10 years in a row and is the largest Federal agency to have such a track record;

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(A) is aimed at experimenting with innovative acquisition techniques across the Homeland Security Enterprise;

(B) provides a forum to test new ideas, share lessons learned, and promote best practices;

(C) fosters cultural changes that promote innovation and managed risk taking through a continuous cycle of testing, obtaining feedback, sharing information, and retesting where appropriate; and

(D) aims to make the acquisition process more smooth and innovative within the construct of the Federal Acquisition Regulation for both the Federal Government and contractors; and

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(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Small Business and Entrepreneurship of the Senate; and

(B) the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Small Business of the House of Representatives.

(3) **COUNCIL.**—The term “Council” means the Chief Acquisition Officers Council established under section 1311 of title 41, United States Code.

(4) **DEPARTMENT.**—The term “Department” means the Department of Homeland Security.

(5) **HOMELAND SECURITY ENTERPRISE.**—The term “Homeland Security Enterprise” has the meaning given the term in section 2211(h) of the Homeland Security Act of 2002 (6 U.S.C. 661(h)).

(6) **SCORECARD.**—The term “scorecard” means the scorecard described in section 868(b) of the National Defense Authorization Act for Fiscal Year 2016 (15 U.S.C. 644 note).

(7) **SECRETARY.**—The term “Secretary” means the Secretary of Homeland Security.

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(B) a small business concern owned and controlled by socially and economically disadvantaged individuals, as defined in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)); or

(C) a small business concern unconditionally owned by an economically disadvantaged Indian tribe or an economically disadvantaged Native Hawaiian organization that qualifies as a socially and economically disadvantaged small business concern, as defined in section 8(a)(4) of the Small Business Act (15 U.S.C. 637(a)(4)).

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(5) meeting the goals for contracts awarded to small business concerns under section 15(g) of the Small Business Act (15 U.S.C. 644(g)).

(b) **EDUCATION.**—The Under Secretary shall develop and disseminate guidance and offer training for contracting officers, contracting specialists, program managers, and other personnel of the Department, as determined appropriate by the Under Secretary, concerning when and how to use the innovative procurement techniques of the Department.

(c) **BEST PRACTICES.**—The Under Secretary shall share best practices across the Department and make available to other Federal agencies information to improve procurement methods and training, as determined appropriate by the Under Secretary.

(d) **SUNSET.**—This section shall cease to be effective on the date that is 3 years after the date of enactment of this Act.

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(b) **WORKING GROUP.**—The Council may form a working group to address the requirements of this section, which, if formed, shall—

(1) be chaired by the Administrator or a designee of the Administrator; and

(2) be composed of—

(A) the Chief Procurement Officer of the Department;

(B) Council members from—

(i) the General Services Administration;

(ii) the Department of Defense;

(iii) the Department of the Treasury;

(iv) the Department of Veterans Affairs;

(v) the Department of Health and Human Services;

(vi) the Small Business Administration; and

(vii) such other Federal agencies as determined by the chair of the Council from among Federal agencies that have demonstrated significant, sustained progress using innovative acquisition practices and technologies, including for small business contracting, during each of the 3 years preceding the date of enactment of this Act; and

(C) other employees, as determined appropriate by the chair of the Council, of Federal agencies with the requisite senior experience to make recommendations to improve Federal agency efficiency, effectiveness, and economy, including in promoting small business contracting.

(c) **DUTIES OF THE COUNCIL.**—The Council, or a working group formed under subsection (b), shall—

(1) convene not later than 90 days after the date of enactment of this Act and thereafter on a quarterly basis until the Council submits the report required under subsection (d)(1); and

(2) conduct outreach with the workforce and the public in meeting the requirements under subsection (d)(1).

(d) **REPORT.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Council shall submit to the appropriate congressional committees a report that describes—

(A) innovative acquisition practices and applications of technologies that have worked well in achieving better procurement outcomes, including increased efficiency, improved program outcomes, better customer experience, and meeting or exceeding the goals under section 15(g) of the Small Business Act (15 U.S.C. 644(g)), and the reasons why those practices have succeeded;

(B) steps to identify and adopt transformational commercial business practices, modernized data analytics, and advanced technologies that allow decision making to occur in a more friction-free buying environment and improve customer experience; and

(C) any recommendations for statutory changes to accelerate the adoption of innovative acquisition practices.

(2) **BRIEFING.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall brief the appropriate congressional committees on the means by which the findings and recommendations of the report have been disseminated under paragraph (3).

(3) **PUBLICATION AND DISSEMINATION OF REPORT FINDINGS.**—To promote more rapid adoption of acquisition best practices, the Administrator shall—

(A) publish the report required under paragraph (1) on the website of the Office of Management and Budget and on the Innovation Hub on the Acquisition Gateway or any successor Government-wide site available for increasing awareness of resources dedicated to procurement innovation; and

(B) encourage the head of each Federal agency to maintain a site on the website of the Federal agency for acquisition and contracting professionals, program managers, members of the public, and others as appropriate that is—

(i) dedicated to acquisition innovation; and

(ii) identifies—

(I) resources, including the acquisition innovation advocate and industry liaison of the Federal agency;

(II) learning assets for the workforce, including the findings and recommendations made in the report required under paragraph (1);

(III) events to build awareness and understanding of innovation activities;

(IV) award recognition programs and recent recipients; and

(V) upcoming plans to leverage innovative practices and technologies.

(e) **EXPERTS.**—In carrying out the duties of the Council under this section, the Council is encouraged to consult with governmental and nongovernmental experts.

(f) **TERMINATION.**—The duties of the Council as set forth in this section shall terminate 30 days after the date on which the Council conducts the briefing required under subsection (d)(2).

### GOLD STAR CHILDREN'S DAY

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Senate

proceed to the consideration of S. Res. 328, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 328) designating August 1, 2021, as "Gold Star Children's Day".

There being no objection, the Senate proceeded to consider the resolution.

Mr. HEINRICH. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 328) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### AMENDING THE ELIGIBILITY CRITERIA FOR THE SENATE EMPLOYEE CHILD CARE CENTER

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 329, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 329) amending the eligibility criteria for the Senate Employee Child Care Center.

There being no objection, the Senate proceeded to consider the resolution.

Mr. HEINRICH. I further ask unanimous consent that the resolution be agreed to and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 329) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

#### RELATING TO THE DEATH OF THE HONORABLE MIKE ENZI, FORMER SENATOR FOR THE STATE OF WYOMING

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 330, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 330) relating to the death of the Honorable Mike Enzi, former Senator for the State of Wyoming.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the resolution.

Mr. HEINRICH. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 330) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### HIP HOP CELEBRATION DAY

#### HIP HOP RECOGNITION MONTH

#### HIP HOP HISTORY MONTH

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 331, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 331) designating August 11, 2021, as "Hip Hop Celebration Day", designating August 2021 as "Hip Hop Recognition Month", and designating November 2021 as "Hip Hop History Month".

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the resolution.

Mr. HEINRICH. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 331) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### ORDERS FOR FRIDAY, JULY 30, 2021

Mr. HEINRICH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m., Friday, July 30; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of the motion to proceed to H.R. 3684; that all postcloture time on the motion to proceed expire at 11:30 a.m.; finally, that if the Jaddou nomination is confirmed, the motion to re-

consider be considered made and laid upon the table and the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. HEINRICH. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the provisions of S. Res. 330 as a further mark of respect for the late Mike Enzi, the former Senator for the State of Wyoming.

There being no objection, the Senate, at 6:02 p.m., adjourned until Friday, July 30, 2021, at 10:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### DEPARTMENT OF COMMERCE

THEA D. ROZMAN KENDLER, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE RICHARD ASHOOH.

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be lieutenant general*

MAJ. GEN. RUSSELL L. MACK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be lieutenant general*

MAJ. GEN. RICKY N. RUPP

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be lieutenant general*

MAJ. GEN. JOHN R. EVANS, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be lieutenant general*

MAJ. GEN. MICHAEL R. FENZEL

##### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be lieutenant general*

MAJ. GEN. JAMES W. BIERMAN, JR.

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be vice admiral*

REAR ADM. CARL P. CHERI

##### IN THE SPACE FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES SPACE FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

##### *To be major general*

BRIG. GEN. DOUGLAS A. SCHIESS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES SPACE FORCE UNDER TITLE 10, U.S.C., SECTION 716:

*To be brigadier general*

BRIG. GEN. DOUGLAS A. SCHIESS

## CONFIRMATIONS

Executive nominations confirmed by the Senate July 29, 2021:

### DEPARTMENT OF ENERGY

FRANK A. ROSE, OF MASSACHUSETTS, TO BE PRINCIPAL DEPUTY ADMINISTRATOR, NATIONAL NUCLEAR SECURITY ADMINISTRATION.

### DEPARTMENT OF DEFENSE

DEBORAH G. ROSENBLUM, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

#### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. PAUL T. CALVERT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. DONNA W. MARTIN

#### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS JUDGE ADVOCATE GENERAL OF THE NAVY AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 8088:

*To be vice admiral*

REAR ADM. DARSE E. CRANDALL, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. DANIEL W. DWYER

#### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

LT. GEN. ANTHONY J. COTTON

#### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. CHRISTOPHER J. MAHONEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601:

*To be lieutenant general*

MAJ. GEN. STEPHEN D. SKLENKA

#### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

LT. GEN. MICHAEL A. MINIHAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. KEVIN B. SCHNEIDER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. TOM D. MILLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. JAMES A. JACOBSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. MARK E. WEATHERINGTON

#### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. ANTONIO M. FLETCHER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. GREGORY K. ANDERSON

BRIG. GEN. MILFORD H. BEAGLE, JR.

BRIG. GEN. MARK S. BENNETT

BRIG. GEN. GREGORY J. BRADY

BRIG. GEN. EDMOND M. BROWN

BRIG. GEN. TIMOTHY D. BROWN

BRIG. GEN. CURTIS A. BUZZARD

BRIG. GEN. ROBERT M. COLLINS

BRIG. GEN. KIMBERLY M. COLLOTON

BRIG. GEN. JOHNNY K. DAVIS

BRIG. GEN. THOMAS R. DREW

BRIG. GEN. CHRISTOPHER L. EUBANK

BRIG. GEN. MARCUS S. EVANS

BRIG. GEN. BRIAN W. GIBSON

BRIG. GEN. THOMAS L. JAMES

BRIG. GEN. JOHN V. MEYER III

BRIG. GEN. DUANE R. MILLER

BRIG. GEN. ANTONIO V. MUNERA

BRIG. GEN. JOHN L. RAFFERTY, JR.

BRIG. GEN. JOSHUA M. RUDD

BRIG. GEN. JOSEPH A. RYAN

BRIG. GEN. MICHELLE A. SCHMIDT

BRIG. GEN. JAMES M. SMITH

BRIG. GEN. BRETT G. SYLVIA

BRIG. GEN. WILLIAM D. TAYLOR

BRIG. GEN. WILLIAM L. THIGPEN

BRIG. GEN. MATTHEW J. VANWAGENEN

BRIG. GEN. JOEL B. VOWELL

BRIG. GEN. TODD R. WASMUND

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be brigadier general*

COL. DEREK N. LIPSON

#### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS ASSISTANT COMMANDANT OF THE MARINE CORPS AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 8044:

*To be general*

LT. GEN. ERIC M. SMITH

#### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be admiral*

VICE ADM. DARYL L. CAUDLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

VICE ADM. JAMES W. KILBY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. FRANK D. WHITWORTH III

#### SPACE FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES SPACE FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. MICHAEL A. GUETTLEIN

#### IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH MACMILLAN M. ACHU AND ENDING WITH ZACHARY L. ZORN,

WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH VINCENT P. ADAMO AND ENDING WITH STEPHANY S. ZARIFA EWERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH JOHN K. AHN AND ENDING WITH CRAIG M. ZINCK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH JONATHAN V. ABUEG AND ENDING WITH AXEL A. ZENGOTITA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH KURT C. ANTONIO AND ENDING WITH KARRIE E. WRAY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH LORREN D. ANDERSON AND ENDING WITH LEAH M. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

AIR FORCE NOMINATION OF KJALL GOPAUL, TO BE COLONEL.

AIR FORCE NOMINATION OF GAVIN N. UNVERFEHRT, TO BE MAJOR.

#### IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH ANDREA C. ALICEA AND ENDING WITH GIOVANNY P. ZALAMAR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

ARMY NOMINATIONS BEGINNING WITH ERIC B. ABDUL AND ENDING WITH CAMERON S. WOLTERSTORFF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

ARMY NOMINATIONS BEGINNING WITH PETER P. ALERIA AND ENDING WITH D016099, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

ARMY NOMINATIONS BEGINNING WITH TRENTON G. ADAMS AND ENDING WITH AMANDA J. ZELNICK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

ARMY NOMINATION OF SEAN B. BAKER, TO BE COLONEL.

ARMY NOMINATION OF NINA A. MCCOY, TO BE MAJOR.

ARMY NOMINATION OF AARON T. HILL, JR., TO BE COLONEL.

ARMY NOMINATION OF ALEXANDER L. AILER, TO BE MAJOR.

ARMY NOMINATION OF NEIL J. MYRES, TO BE COLONEL.

ARMY NOMINATION OF MELISSA M. JOY, TO BE MAJOR.

ARMY NOMINATION OF JEFFREY C. SCHWAB, TO BE COLONEL.

ARMY NOMINATION OF BONNIE L. RIPORELLA, TO BE MAJOR.

ARMY NOMINATION OF WINSTON S. WILLIAMS, JR., TO BE COLONEL.

#### IN THE MARINE CORPS

MARINE CORPS NOMINATION OF RYAN M. OLEKSY, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF JUSTIN D. AMTHOR, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF RORY L. ALDRIDGE, TO BE COLONEL.

MARINE CORPS NOMINATION OF BRIAN D. TURNER, TO BE COLONEL.

MARINE CORPS NOMINATION OF JARED K. STONE, TO BE COLONEL.

MARINE CORPS NOMINATION OF JUSTIN K. SING, TO BE LIEUTENANT COLONEL.

#### IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH ADAM M. KLEIN AND ENDING WITH ROBERT A. PETRICK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

NAVY NOMINATIONS BEGINNING WITH JEFFREY D. PIZANTI AND ENDING WITH THOMAS E. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

NAVY NOMINATIONS BEGINNING WITH ANDREW P. BREKSA III AND ENDING WITH MATTHEW C. WARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

NAVY NOMINATIONS BEGINNING WITH JEFFREY BENNINGTON AND ENDING WITH CARMEN N. EHRER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

NAVY NOMINATIONS BEGINNING WITH KATHRYN M. BALL AND ENDING WITH ANDREA H. FRANKS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

NAVY NOMINATIONS BEGINNING WITH HEIDI E. COCHRAN AND ENDING WITH JOHN T. ZABLOCKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.



NAVY NOMINATIONS BEGINNING WITH ANDREW R. KOTILA AND ENDING WITH LEONARD K. PAYNE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

NAVY NOMINATIONS BEGINNING WITH DUSTIN A. ELLIS AND ENDING WITH LAURA A. PRICE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

NAVY NOMINATION OF CHANTAL J. BHAN, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH KENNETH HELMAN AND ENDING WITH ERIN E. MEEHAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

NAVY NOMINATION OF ANDREW T. RUCKER, TO BE COMMANDER.

NAVY NOMINATION OF VJ OMUNDSON, TO BE COMMANDER.

NAVY NOMINATIONS BEGINNING WITH MATTHEW K. AHLERS AND ENDING WITH GRETCHEN L. WOODARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

NAVY NOMINATIONS BEGINNING WITH DESERINE S. PRICEJORDAN AND ENDING WITH KELLY A. VARONPAKIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

NAVY NOMINATIONS BEGINNING WITH ADAM S. BASHAW AND ENDING WITH SONJA M. M. LOHMEYER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

NAVY NOMINATIONS BEGINNING WITH CARMELITA S. FLEMING AND ENDING WITH CRAIG R. SCHOENE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

NAVY NOMINATION OF JAMES E. COLEMAN, JR., TO BE CAPTAIN.

NAVY NOMINATION OF THEODORE M. MENKE, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH EDWIN J. DUCAYET AND ENDING WITH KIPP T. TEAMEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2021.

NAVY NOMINATION OF KERRI R. FUHS, TO BE COMMANDER.

NAVY NOMINATION OF JESSE D. KING, TO BE COMMANDER.

NAVY NOMINATIONS BEGINNING WITH RANDALL G. HODO AND ENDING WITH GAVIN A. SANJUME, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2021.

NAVY NOMINATIONS BEGINNING WITH DAVID W. DAVIS II AND ENDING WITH JONATHAN K. MARKRICH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2021.

NAVY NOMINATIONS BEGINNING WITH GLENN M. EBERHART AND ENDING WITH STEVEN J. PETRACEK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2021.

NAVY NOMINATIONS BEGINNING WITH SCOTT A. ASAKEVICH AND ENDING WITH DANIELLE J. WILHELM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2021.

NAVY NOMINATIONS BEGINNING WITH JEFFREY BENSON AND ENDING WITH ELMER F. RILEY III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2021.

NAVY NOMINATIONS BEGINNING WITH ROBERT J. ALWINE II AND ENDING WITH DARREN S. WALL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2021.

NAVY NOMINATIONS BEGINNING WITH JULIA L. AZURIN AND ENDING WITH MARYELLEN V. WETMORE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2021.

NAVY NOMINATIONS BEGINNING WITH RYAN A. BAUM AND ENDING WITH DAWN L. WYNN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2021.

NAVY NOMINATIONS BEGINNING WITH BERNARD H. HOFMANN AND ENDING WITH HOI S. WONG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2021.

#### SPACE FORCE

SPACE FORCE NOMINATION OF JOHN P. SMAIL, TO BE COLONEL.

#### FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JEANNE FRANCES BAILEY AND ENDING WITH BRUCE J. ZANIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 13, 2021.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH RUSSELL ANTHONY DUNCAN AND ENDING WITH MARK CLAYTON PRESCOTT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 27, 2021.

FOREIGN SERVICE NOMINATION OF MARC CLAYTON GILKEY.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH SUSANNAH HOLMES AND ENDING WITH AARON RODGERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 27, 2021.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH GABRIEL J. ALLISON AND ENDING WITH AMANDA M. ZEIDAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 22, 2021.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH WADE C. MARTIN AND ENDING WITH FERNANDO OSPINA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 22, 2021.